

Draft Minutes
Guilford Inland Wetlands Commission
Regular Meeting
March 9, 2016 at 7:30pm
Guilford Community Center – Faulkner Room
32 Church St. Guilford CT

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: D. Williams, C. Page, R. Meier, K. Clark, S. Williams and E. Besmer

Member Absent: P. Mei

Alternates Present: J. Parker

Alternates Absent:

Staff: Kevin Magee

Reggie Reid

Chairman Scott Williams opened the meeting at approximately 7:32 P.M.

Appointment by Chair of members sitting for this meeting D. Williams, C. Page, R. Meier, K. Clark, S. Williams, J. Parker and E. Besmer

A. APPROVAL OF AGENDA

March 9, 2016

Upon a motion by Csmr. S. Williams and seconded by Csmr. R. Meier, it was voted to unanimously to approve the agenda.

B. APPLICATIONS

- 1. Phillip T. Cronan, Flat Meadow, Map 85, Lot 16, Zone R-5, Regulated activity, proposed 3-Bedroom house, septic system and driveway in 100’ review zone, less than 50’ from wetlands. No activity in the wetland is proposed.**

Present for applicant: No one

Kevin Magee stated a letter came to withdraw the application due to the health departments request for additional soil testing and ground water monitoring.

Csmr. S. Williams made the motion to accept the withdraw letter.

2. Oleg Melentyev, 30 Point Arrowhead Rd, Map 63, Lot 14C, Zone R-3, Regulated Activity, Pumping water from Lake Quannipaug within 100' upland jurisdictional review zone.

Present for applicant: No one

Csmr. S. Williams made the motion to table the application to the April 13, 2016 meeting and Csmr. C. Page seconded and it was unanimously approved.

3. Kara and Pat Cerino, 271 Stonehouse Lane, Map 34, Lot 31, Zone R-3, Regulated activity, After the Fact, Remove trees and brush that fell on to wetlands within 100' jurisdictional review zone.

Present for applicant: Kara Cerino – Home owner
Mike Kavanaugh – Independent Contractor

Mike Kavanaugh explained that the brush will be removed from the 100ft review zone
Kara Cerino indicated that she wanted to clean up her yard and was not aware the work required a wetlands permit.

Csmr. K. Clark asked about the wetlands boundary if it has been delineated

Csmr. D. Williams asked about the work done outside and within the review area.

Csmr. K. Clark concerned about erosion control

Csmr. S. Williams asked how you are planning to remove the debris and do you have a plan on paper to submit.

Csmr. C. Page what about the soil going into the wetlands because there is nothing there to hold it.

Csmr. J. Parker is concerned about clearing the low line of brush

K. Magee showed the commission the wetlands map for the adjacent Rollwood Condo's Association

Csmr. K. Clark made the motion to table the application to the April 13, 2016 meeting so the applicant can prepare a written removal plan. Csmr. D. Williams and seconded, it was unanimously approved.

C. MINOR MODIFICATIONS

None

D. EXTENSION AND TRANSFER OF PERMIT

None

E. INVESTIGATION/ ENFORCEMENT ACTION (Muddy Boot Patrol Report from IWEO):

- 1. Michelle Lim – 262 Stonehouse Lane – Map 34, Lot 42, Zone R-3 – Requested hearing

Atty. Michael Denison is representing Dr. Edward Lim for the matter of violation. It was stated that there was material that was dumped in the wetlands.

Kevin Magee updated the commission that the wetlands enforcement officer Reggie Reid reported that Kara Cerino reported to her that neighbors were dumping leaves and brush in the wetlands, but there is no documentation or evidence.

Atty Michael Denison would like the meeting minutes to reflect that Dr. Lim is an abutter, but no in violation due to false accusations and no proof.

Reggie Reid had sent out notice of violation letters, which has prompted this meeting.

Kevin Magee asked Kara Cerino if she had any evidence, photographs or videos of showing the Lims were dumping material in the wetlands, Kara Cerino indicated that she did not have photo's or video's.

Kevin Magee stated that Rollwood doesn't have to fill out an application, since they did not give permission for the work to be conducted but should write a letter stating it is ok for the adjacent lot owner to clean out the debris from the wetland that was deposited there.

Csmr. K. Clark made a motion to rescind the notice of violation due to lack of evidence showing that the Lim's dumped leaves in or adjacent to a wetlands. The motions was seconded by Csmr. R. Meier and it was voted to rescind the notice of violation.

INFAVOR: C. Page, K. Clark, S. Williams, J. Parker, E. Besmer and R. Meier

OPPOSED: None

ABSTAINED: D. Williams

This motion carries: 6-0-1

F. APPLICATIONS TO BE RECEIVED (Walk April 9, 2016)

(APPLICANTS NEED NOT ATTEND RECEIPTS)

- 1. Kathleen B. Magness 100 Fall Rd., Map 59, Lot 07, Zone R-3, Regulated Activity, Pump water from the lake to water gardens twice a week for two hours using a one HP portable pump and 150 ft of hose within 100' jurisdictional review zone.

2. George Mordecai, Three Mile Course, Map 70, Lot 20A-3, Zone R-3/R-8, Regulated Activity, construction of a new single family house and septic system and other associated appurtenances on an approved building lot within 100' jurisdictional review zone.
3. Gregory Terwilliger, 103 White Birch Dr., Map 58, Lot 46, Zone R-3, Regulated Activity, operate an existing water pump for irrigation within 100' jurisdictional review zone.
4. Gordon Terwilliger, 47 White Birch Dr., Map 59, Lot 37, Zone R-3, Regulated Activity, operated an existing water pump for irrigation within 100' jurisdictional review zone.
5. 2772 BPR Guilford, LLC c/o Charles Steinberg, 2772 Boston Post Rd, Map 83, Lot 25, Zone TS-3, Regulated Activity, construction of a new 2 story building for use as a restaurant on the 1st floor and 4 1-bedroom apartments on the second floor within 100' jurisdictional review zone.
6. Paul and Amy Macy, 239 Boston Street, Map 40, Lot 127, Zone R-3, Boundary Clarification and Regulated Activity, Addition to existing house, septic system replacement and driveway relocation within 100' jurisdictional review zone.
7. James V. Barretta, 77 White Birch Dr., Map 58, Lot 51, Zone R-3, Regulated Activity, rebuild stone retaining wall within 100' jurisdictional review zone.

Upon a motion by Csmr. S. Williams and seconded by Csmr. R. Meier, it was unanimously voted to receive the application above and set a walk date of April 9, 2016.

G. BILLS

1. Shore Publishing – \$57.91 (February)

Upon a motion by Csmr. W. Williams and seconded by Csmr. C. Page, it was voted to pay the bills.

INFAVOR: C. Page, K. Clark, S. Williams, J. Parker, E. Besmer, D. Williams

OPPOSED: None

ABSTAINED: R. Meier

This motion carries: 6-0-1

H. CORRESPONDENCE / OTHER BUSINESS

1. DDR site inspection report
2. The Habitat
3. HAKS – Long Hill Rd Reconstruction request for modification of approval.

Upon a motion by Csmr. S. Williams and seconded by Csmr. D. Williams, it was unanimously voted to receive the correspondence

I. MANDATORY REFERRAL

McCarthy Pond – 418 Colonial Rd – DEEP Permit Application for Pesticides in state water. The commission took no action on the notification.

J. AUTHORIZED AGENT APPROVALS

- 1. Grace E. Terwilliger, 39 Hazel Rd – Septic
- 2. Guilford Arts Center, 411 Church St - Septic

K. Magee discussed the approval with commission.

K. APPROVAL OF MINUTES

- 1. February 10, 2016 – regular meeting

Jill Weaver of White Birch Dr. asked why the minutes from February indicated information on pumping from the lake and an application being approved for pumping. Jill Weaver thought that no application for pumping were to be received until the February meeting and asked what procedure wasn't followed.

Kevin Magee read the letter from the Lake Association

Upon a motion by Csmr.S. Williams and seconded by Csmr R. Meier, it was voted to unanimously approve the minutes.

- 2. March 5, 2016 – walk meeting

Upon a motion by Csmr. S. Williams and seconded by Csmr. C. Page, it was voted to approve the minutes.

INFAVOR: C. Page, K. Clark, S. Williams, J. Parker, E. Besmer

OPPOSED: None

ABSTAINED: D. Williams and R. Meier

This motion carries: 5-0-2

Then, with no further business before it, upon a motion by Csmr. R. Meier and seconded by Csmr. C. Page, it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 9:05 P.M.

Respectfully submitted,

Michelle C. Nazario