

APPROVED 12-17-08
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES
Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, October 22, 2008 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

Edward Bruce, Vice Chairman
Ronald Penton, Secretary
William Leiserson
Steve Nugent
Pamela Sletten
John Gilchrist, Alternate, sitting
Frank Bumsted, Alternate, sitting

ABSENT MEMBERS:

Mark Trojanowski, Chairman
Leroy Gould

OTHERS:

Alan Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
John Parese, Town Attorney
Lisa Raccio, Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Bruce, Acting Chairman, called the meeting of the Inland Wetlands Commission to order at 7:06 PM and introduced the Commission and town staff. He then explained the procedure for the public hearing. Mr. Bruce asked Mr. Fredricksen, Land Use Administrator, if there were any changes to the agenda. Mr. Fredricksen stated that he would like to add 190 Montowese Avenue, Pondview Estates, to the agenda under "Informal".

Mr. Penton read the call for the public hearing.

1. #I08-12 Application of Nicholas Ciminello, P.E., Applicant, High Lane Club, Owner, relative to 40 High Lane, (Map 25, Lot 9), seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Site Improvement Plan, Property of High Lane Club, #40 High Lane, North Haven, CT. Prepared by Godfrey-Hoffman Associates, LLC, Dated 6-05-08. Scale 1" = 20'. R-12 Zoning District.

Mr. Victor Benni, Civil Engineer with Godfrey-Hoffman, presented the application to permit drainage improvements along the northernmost portion of the High Lane Club, 40 High Lane. He described the existing and proposed drainage conditions on the site. He also explained that water is overflowing onto the parking lot and the basement area is flooding. A curtain drain and additional pipes will be installed to handle water overflow. The gravel parking area will be regraded to redirect water into the catch basin avoiding surface overflow. The Commission asked questions and Mr. Benni and Mr. Bodwell, Town Engineer, responded. Mr. Fredricksen, Land Use Administrator, clarified that no work needs to be done on neighboring properties.

Mr. Benni then addressed the Land Use and Town Engineer's comments. Mr. Leiserson asked about buffer markings. Mr. Benni stated that they can add buffer markings or plantings at the easternmost portion of the site. The Commission would like the buffer area marked with wetland markers. Mr. Bumsted is concerned about snow blocking catch basins. The Commission asked a few more questions and Mr. Benni and Mr. Bodwell responded.

Mr. Bruce asked for public comment.

Public comment:

1. Clayton Campbell, 11 Maraldene Drive, is concerned about erosion and silt & sand filling the pond. He is requesting that the pipe being installed near his fence be redirected.
2. Dan DiMaio, 158 Ridgewood Avenue, is concerned with interrupting wildlife and adding additional debris in pond. He also has concerns regarding the lower pond.
3. Mark Bessette, 7 Maraldene Drive, is concerned about maintaining current water flow and wildlife.

Mr. Benni and Mr. Fredricksen addressed the questions from the public. Mr. Benni stated that they will maintain current water flow and reduce velocity. Mr. Benni also stated that there will be no impact on the lower pond.

There being no further questions, the public hearing was closed.

INFORMAL:

Sinoway Family Partnership, 182-188 Kings Highway

Mr. Arthur Estrata, Appraiser, spoke regarding a previous issue with waiving mapping of the wetlands on this site. A plan was developed with a soil scientist for clearing and accurately mapping the wetlands. This plan will decrease the impact on the wetlands. The Commission was in agreement with this proposed plan.

Mr. Leiserson moved to approve minimal clearing, in accordance with the submitted plan, at 182-188 Kings Highway; Mr. Bumsted seconded the motion. The Commission voted as follows:

Bruce - aye Penton – aye Leiserson – aye Nugent – aye Sletten – aye Gilchrist – aye
Bumsted – aye

Fire Pond, 2516 Ridge Road

Town Attorney, John Parese, explained the agreement between Lee Patterson, owner of the waterhole located at 2516 Ridge Road, and the Town of North Haven. This waterhole was used by the North Haven Fire Department for the purpose of pumping water for fighting fires in the area when town water wasn't available. This agreement allowed fire personnel free access to this property. A 10 year term with the privilege of renewal for the same stated period was granted. However, the agreement lapsed and the town needs To restore the property to its former condition, as stated in the agreement, by emptying the waterhole and then filling it in.

The waterhole produces an aquatic weed that contaminates the swimming pond into which it drains so the owner of the property would like this matter resolved as soon as possible. The waterhole is also becoming a threat to the stability of trees in that area. Mr. Lee Patterson then described the drainage flow around this pond.

Mr. Leiserson would like the town to inform the Commission of how they plan to fill this pond and make sure proper procedure is followed. Mr. Leiserson requested permission for the Commission to view the site.

190 Montowese Avenue, Pondview Estates

Mr. Rick Vizziello, owner, explained why he wants to waive the sidewalks at 190 Montowese Avenue, Pondview Estates, which were required by the Planning and Zoning Commission. A soil scientist report was submitted stating the effect installing sidewalks will have on the wetlands.

The Commission feels that this issue needs to come before the Planning & Zoning Commission.

BREAK: 8:31 – 8:41 PM

Tire Pond

Mr. Penton and Mr. Leiserson discussed their Tire Pond reports from the DEP meeting held on October 17, 2008. The meeting addressed concerns of the Inland Wetlands Commission regarding this project. Mr. Penton stated that the tires will be covered to reduce fire hazard. The soil that is being brought in to cover these tires has a low level of contamination so Mr. Penton would like the quantity and quality of dirt being brought in monitored. The DEP agreed that North Haven's Inland Wetlands and Planning & Zoning Commission along with other surrounding town commissions will have input regarding Phase II of the Tire Pond closure plan.

The removal and recycling of the tires will not be possible because of cross contamination. Mr. Leiserson wants to find out what other contaminants are on this site. The Commission is in the process of getting permission from the DEP for a site visit.

Diane Duva with the DEP is willing to meet with the Inland Wetlands Commission to answer technical questions. The Commission also wants to meet with Attorney Walt Spader, Jr. to answer legal questions.

The Commission wants to send further questions to Diane Duva and Attorney Walt Spader, Jr. and to form a subcommittee of Mark Trojanowski, Ron Penton and Billy Leiserson to meet with DEP separately, to answer these questions. The Commission voted as follows:

Bruce - aye Penton – aye Leiserson – aye Nugent – aye Sletten - aye Gilchrist – aye
Bumsted – aye

OTHER: None

DELIBERATIONS:

1. #I08-12 Application of Nicholas Ciminello, P.E., Applicant, High Lane Club, Owner, relative to 40 High Lane.

Mr. Leiserson moved to approve the application. Mr. Bumsted seconded the motion. The Commission voted as follows:

Bruce - aye Penton – aye Leiserson – aye Nugent – aye Sletten – aye Gilchrist – aye
Bumsted - aye

This application was approved with conditions.

BOND RELEASES & REDUCTIONS:

#B2002-11, 41 Stiles Lane

Mr. Penton moved to release the entire bond for #B2002-11, 41 Stiles Lane, in the amount of \$5,000.00; Mr. Leiserson seconded the motion. The Commission voted as follows:

Bruce – aye Penton – aye Leiserson – aye Nugent – aye Sletten – aye Gilchrist – aye
Bumsted - aye

#I06-32, 135 Summer Lane

Mr. Leiserson moved to release the entire bond for #I06-32, 135 Summer Lane, in the amount of \$2,500.00; Mr. Penton seconded the motion. The Commission voted as follows:

Bruce – aye Penton – aye Leiserson – aye Nugent – aye Sletten – aye Gilchrist - aye
Bumsted – aye

MINUTES:

September 24, 2008

Mr. Gilchrist moved to approve the minutes of the September 24, 2008 meeting;
Mr. Leiserson seconded the motion. The Commission voted as follows:

Bruce - aye Penton – aye Leiserson – aye Gilchrist – aye

ENFORCEMENT ACTIONS: None

EXTENSIONS: None

PERMITTED USES AS OF RIGHT: None

CORRESPONDENCE: Southwest Conservation District, Inc.
Connecticut Wildlife, Sept./October 2008 Issue
College of Agriculture and Natural Resources Journal, Fall 2008

ADJOURN:

Mr. Penton moved to adjourn the meeting; Mr. Leiserson seconded the motion. The meeting was adjourned at 9:45 PM.