

APPROVED 11-20-13
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES

Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, October 23, 2013 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

Mark R. Trojanowski, Chairman
Peter Tenedine, Vice Chairman
Pat Libero, sitting for Steven J. Nugent
Frank H. Bumsted, Alternate
Steven Miller, Alternate
Pamela Sletten, Alternate

ABSENT MEMBERS:

Steven J. Nugent, Secretary
Cheryl A. Juniewicz

OTHERS:

Alan Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Arthur M. Hausman, Zoning Enforcement Officer
Genevieve Bertolini, Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Trojanowski, Chairman, opened the meeting at 7:04 p.m. and introduced the Commission and town staff. Then he explained the procedure for the Public Hearings and asked Mr. Fredricksen, Land Use Administrator, if there were any changes to the agenda. Mr. Fredricksen stated that application #I13-16, 43 Marlen Drive, has been postponed to the November 20, 2013 meeting.

PUBLIC HEARINGS:

Mr. Libero, Acting Secretary, read the call for the Public Hearing.

1. #I13-13 Application of Robert Neubig, Owner and Applicant, relative to 480 Valley Service Road, (Map 85, Lot 1), seeking a Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Proposed Grading, 480 Valley Service Road, North Haven, Connecticut. Prepared by John Whitcomb, P.E. Dated 02/03/11. Scale 1" = 50'. IL-80 Zoning District.

Mr. David Lord, Soil Scientist, representing the applicant, continued presenting the application to reapprove application #I11-05 to permit the excavation and removal of 72,000 cubic yards of material from this site. Submitted drawings from earlier submissions do not depict the as-built condition of the excavation activities. Mr. Lord then described the current wetland conditions on the site. The required reflectors have been installed; however, two need to be replaced and a bond in the amount of \$15,000.00 remains. The Commission had concerns with Mr. Neubig not being present to further explain the current condition of this site. Also, excavation activities have started again without proper approvals. The Commission asked questions and Mr. Lord responded.

Mr. Trojanowski asked for public comment. There being no public comment, the Public Hearing was closed.

2. #I13-16 Application of ASM Prospect, Applicant and Owner, relative to 43 Marlen Drive, (Map 58, Lot 17), seeking Subdivision Referral. Plan Entitled: Resubdivision of Lot 17, for Mass Development Corp., 43 Marlen Drive, North Haven, Connecticut. Prepared by Brown & Associates Surveying Services, LLC. Dated March 27, 2013. Scale 1" = 20'. R-20 Zoning District.

This application has been postponed to the November 20, 2013 meeting.

INFORMAL: None

OTHER: None

DELIBERATIONS:

PUBLIC HEARINGS:

1. #I13-13 Application of Robert Neubig, Owner and Applicant, relative to 480 Valley Service Road, (Map 85, Lot 1), seeking a Permit To Conduct Regulated Activity and Site Plan Referral.

Mr. Bumsted moved to deny the Regulated Activity without prejudice due to not having an as-built that depicts current activity and having a possible new activity that is not permitted and send a negative Site Plan Referral to the Planning & Zoning Commission; Mr. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye Tenedine – aye Libero – aye Bumsted – aye Miller – aye Sletten - aye

The application was denied.

The Commission stated the following:

1. The Public Hearing was left open as long as legally possible in order for the applicant to submit a plan that depicts current activity on this site.

MINUTES:

August 28, 2013

Mr. Bumsted moved to approve the minutes of the August 28, 2013 meeting; Mr. Libero seconded the motion. The Commission voted as follows:

Trojanowski – aye Tenedine – aye Libero – aye Bumsted – aye Miller – aye

ENFORCEMENT ACTIONS:

Mr. Arthur Hausman, Zoning Enforcement Officer, outlined current Inland Wetlands violations with the Commission.

-7 Regency Drive – Filling in a non-permitted area. A Cease & Desist Order was sent on June 27, 2013. The Commission asked the ZEO to contact the owner and follow-up on this issue.

-77 Sackett Point Road – Encroachment on the wetlands. A remediation plan is being worked on and an application will be submitted soon.

-37 Marlen Drive – Non-permitted activities in both the wetland buffer and wetlands area. A Cease & Desist was sent on September 24, 2013.

Mr. Anthony Spadacenta, owner, explained the current violation to the Commission. He stated that he just replaced some existing drainage pipes that were damaged. He submitted photographs of an existing drainage pipe, Exhibit A.

Mr. Bumsted moved to approve the installation of the drainage pipe with the condition to seed, rake and lay hay immediately; Ms. Sletten seconded the motion. The Commission voted as follows:

Trojanowski – aye Tenedine – aye Libero – aye Bumsted – aye Miller – aye Sletten - aye

Mr. Trojanowski asked for public comment.

1. Ed Houde, 51 Marlen Drive, asked who is responsible for cleaning a drainage basin near his property and asked if he could clean it out.
2. Frank Spadacenta, asked about an area located at 37 Marlen Drive now deemed wetlands.

Mr. Jonathan Bodwell, Town Engineer, Mr. Alan Fredricksen, Land Use Administrator, and the Commission responded to the public comment.

EXTENSIONS: None

PERMITTED USES AS OF RIGHT: None

BOND RELEASES & REDUCTIONS:

#I09-02, 328 Bassett Road

Mr. Bumsted moved to release the remaining bond for application #I09-02, 328 Bassett Road, in the amount of \$7,500.00; Mr. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye Tenedine – aye Libero – aye Bumsted – aye Miller – aye Sletten - aye

CORRESPONDENCE:

- The Habitat, Summer 2013
- CT DEEP Application, 41 Stiles Lane
- CT DEEP Training for Municipal Inland Wetlands Agencies
- Notice to Abutters – Quinnipiac University
- 2014 Commission Meeting Dates

Mr. Fredricksen reviewed the correspondence with the Commission.

ADJOURN:

Mr. Bumsted moved to adjourn the meeting; Ms. Sletten seconded the motion. The meeting was adjourned at 8:12 PM.