

**TOWN OF ASHFORD
INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, AUGUST 2, 2011
5 TOWN HALL ROAD, ASHFORD, CT. 06278**

Present: Lenny Liguore (Chairperson), Jack Barclay, Gary Lipstreu, Ray Fenn, David Rechel, and Mark Wagenbrenner (alt.), Christian Fongemie (alt)

Also present: Michael Gardner, Land Use Administrator; Joe Theroux, Wetlands Agent; Francine Hodovan, Recording Secretary.

Guests: David S. Childs (Camp Connri).

The Public Hearing of August 2, 2011 of the Ashford Inland Wetlands and Watercourses Commission was called to order by Chairperson Liguore at 7:00 p.m.

Proposed Regulations – Sections 7 and 10 – to comply with Public Act No. 10-85.

All regulations changes were read into the minutes by D. Rechel and J. Barclay. No public was available to speak and the IWWC had no questions or comments, except for D. Rechel who wanted to clarify when a notice to a holder of easement should be sent out: 60 days prior to the filing of the application or 60 prior to the approval? It was clarified that the Notice should be sent 60 days prior to filing of the application.

P. Piecyk arrived and was seated at 7:10 p.m.

It was stated that any corrections to the regulations as currently written should be directed to M. Gardner. It was also noted that in 7-11 A “that that” should be corrected to “that”.

The Public Hearing was closed at 7:12 p.m.

Call to Order: The Ashford Inland Wetlands and Watercourses Commission Regular Meeting of August 2, 2011, was call to order by Chairperson Liguore at 7:12 p.m.

Review and Acceptance of the minutes from IWWC Meeting of July 5, 2011.

P. Piecyk moved and G. Lipstreu seconded a motion to accept the meeting minutes as written for the IWWC Meeting of July 5, 2011. The motion passed with everyone voting affirmatively.

Old Business:

A. Salvation Army Camp Connri:

D. Childs stated that all work at the Camp has been suspended. The area in question has been mulched and seeded only. J. Theroux stated that he had formulated a plan of action for with the Salvation Army but no further work has been done since the Notice of Violation is still in place and will remain in place until the IWWC makes a site walk. It was also noted that J. Theroux cannot make the approval until the completed application and fees are received. The IWWC can accept the application at that time.

D. Childs addressed the IWWC and gave them the consent form. He made apologies and said the Salvation Army is ready to move on. The IWWC agreed that the Cease and Desist Order should

remain in place until next month. A site walk was set for August 15th at 6:00 p.m. D. Childs gave his cell phone number to the Commission (860-214-3698).

G Lipstreu moved and P. Piecyk seconded a motion to accept the application with the understanding that items J. Theroux suggested must be completed, including WWW report form and calculation of disturbed areas and received by the Commission. The motion passed with everyone voting affirmatively.

D. Rechel asked for clarification in 4 areas as to what exactly the IWWC is approving:

1. Lodge Beach
2. Youth Beach
3. Peninsula
4. Any brush or small trees removed

R. Fenn noted that the lodge beach is not used so wonders why it was cleared.

G. Lipstreu was concerned as to where the vegetation that was removed ended up. D. Childs stated that some was chipped, mulched, etc.

J. Barclay is concerned that the grassy areas will attract geese and their "leavings" and if the activity areas have toilet facilities.

B. Robert Mullady – 53 Pumpkin Hill Road:

The Notice Of Violation Order dated 6/21/11 issued to Robert Mullady of 53 Pumpkin Hill by Joseph Theroux was discussed. The owners of 53 Pumpkin Hill Road were not present. J. Theroux stated that there are significant pathways across the wetlands as a result of dumping chips, hay, and horse manure. Theroux reminded the IWWC that the owner has stated that they have been doing this for years. Discussion followed concerning the possibility that removal of the deposited materials could cause more wide scale wetlands disturbance. There may be negative impacts to the wetlands of this property and to the wetlands on adjacent properties as a result of this activity. Wetlands Agent Theroux was not aware of any contamination to nearby wells and did not do any detailed surveys of the property or the wetland boundaries.

An application was submitted this evening from Stacylynn and Robert Mullady of 53 Pumpkin Hill Road asking to continue the activity of creating paths referenced earlier and to alternatively compost the barn waste materials. The commission felt that the application was not complete as it lacked important information needed to properly review the application and the intended work and the wetland boundaries were not shown. It was agreed that the application would not be accepted this evening. The commission would like the applicant to obtain a certified soil scientist's advice with regard to the application, the Violation Order and to resubmit the application with more detailed information. J. Theroux will speak with property owner to explain the IWWC's decision regarding the Violation Order and the application and will follow up his meeting with a letter.

Rechel moved and R. Fenn seconded a motion to continue the Notice of Violation /Cease and Desist order and not to accept the application for the following reasons: there appears to be activity in the wetlands involving deposition of materials which may have an impact on the wetlands and adjacent properties. The site plan in the application does not show the proposed and existing conditions in enough detail for the commission to make a proper determination on the activities, the application does not give detailed enough information necessary to understand what the applicant is proposing, and there are questions as to the possible impact of this activity on adjacent properties. The motion passed with everyone voting affirmatively.

New Business:

Proposed Changes to Regulations Sections 7 and 10.

Nothing was heard from the Public and no written communications were received.

Rechel moved and P. Piecyk seconded a motion to approve the proposed changes to the Ashford Wetlands Regulations that the Ashford Inland Wetlands and Watercourses Commission approve the proposed changes to the Ashford Inland Wetlands and Watercourses Commission Regulations, Sections 7 and 10, to comply with Public Act Number 10-85 with an effective date of September 1, 2011. The regulation changes were approved by the majority of the Commission. The motion passed with everyone voting affirmatively.

Let the record show that the vote was unanimous. All restrictions placed on the changes were received, the effective date given and the amended regulations were filed with the Town Clerk previously. The Amended Regulations will be sent to the Commissioner of EPA next week.

P. Piecyk moved and G. Lipstreu seconded to add one more item to the agenda for a new application for Jack Barclay, 70 Armitage Road. The motion passed with everyone voting affirmatively.

Discussion ensued as to timing of the receipt of the application and when the IWWC can accept it. J. Barclay once again explained the level of work that needs to be done in order to raise the top of his dam to stabilize it and be able to walk on it without danger. He clarified that this is a matter of maintenance and not reconstruction.

G. Lipstreu moved and P. Piecyk seconded a motion to accept the application and that it be treated as a maintenance issue to be subject to Agent approval only. The motion passed with everyone voting affirmatively except for J. Barclay who recused himself from the vote.

Hear from Public: None.

Members' Reports: None.

Correspondence: J. Theroux passed out copies of The Habitat and CT Wildlife.

Agent's Report: J. Theroux reported that he is following the work being done on the Lead Mine Brook project and it is going well. The footings were put in place today and the walls are to be installed tomorrow.

He also noted that the Our Companions Domestic Animal Sanctuary work is continuing along well, per the restrictions put on them by the P&ZC.

Adjournment:

G. Lipstreu moved and D. Rechel seconded a motion to adjourn the IWWC Meeting of August 2, 2011. The motion passed with everyone voting affirmatively.

The Inland Wetlands and Watercourses Commission Meeting of August 2, 2011 adjourned at 8:40 p.m.

Respectively submitted,

Francine Hodovan
Recording Secretary