

**TOWN OF HADDAM
WETLANDS COMMISSION
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
MONDAY, 13 OCTOBER 2015
PUBLIC MEETING
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Paul Best, Vice Chairman
X	Jeremy DeCarli
X	Dan Iwanicki, Secretary
A	Robin Maule
X	Joe Stephens
X	Mark Stephens, Chairman
A	Tom Worthley
X	Curt Chadwick, Alternate - Seated
A	Mal Gorin, Alternate
X	Jim Puska, Wetlands Enforcement Officer
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order & Attendance/Seating of Alternates

Mr. M. Stephens, chairman, called the meeting to order at 7:00 p.m. and all regular and alternate members were seated.

2. Additions/Corrections to the Agenda

None.

3. Public Comment

None.

4. Wetlands Enforcement Officer's Report

None.

5. New Business

a. Joseph Mingoello, Contractor and Owner Representative/Agent. Elke Hoppenbrouwers, Owner. Property Address: 5 Ledge Road, Higganum, CT. Assessor's Map #72 A1, Assessor's Lot #61. Review Applications for Septic System Repair, New Addition, New Front Porch, Wetlands Remediation Plan – Activity within 100 Feet of Wetlands.

Joseph Mingoello, contractor and owner representative/agent; Joseph Rini, attorney for Avanti Development Group and Mr. Mingoello, were present.

Mr. M. Stephens asked if an engineer would be making the presentation. Mr. Rini stated that he would be making the presentation as they didn't feel Mr. Martucci, engineer with Dutton Associates, LLC, had done a good job at the 28 September 2015 special meeting.

Mr. Rini, attorney for Avanti Development Group and Mr. Mingoello, presented and reviewed a three page submission entitled "Zoning Location Survey, Topographic Survey, Plot Plan, 5 Ledge Road, Prepared for Elke Hoppenbrouwers, Date: 10/05/2015" from Dutton Associates, LLC. The first page of the plans shows the layout of the lot – the house, existing and proposed septic systems, curtain drain, etc. Mr. Rini stated that the basic activity, other than getting in and out of the site, was to replace the existing system which is too close to the house and is non-conforming. Mr. Rini also stated that questions that arose during the Show Cause Hearing were: 1) was there going to be curtain drain; and if so, where and how it would be installed, 2) types of plantings to be installed due to the removal of trees, and 3) building issues – small porch, and shed that was moved onto the property and attached to the existing structure.

Mr. Rini reviewed the detail plans, page 2, and the landscaping plan, page 3. Mr. Rini stated that Hidden Lake is designated Flood Zone A; and that almost the entire half acre parcel is within the 100 foot review area. Mr. Rini noted that there will be no changes to the stream or watercourses.

Mr. Rini stated that the curtain drain is not within 500 feet of a boundary of a municipality. Mr. Rini also stated that the activities proposed are: 1) septic system – grading required grading; 2) filling and land clearing required in the upland review area; 3) installation of primary reserve septic field; 4) buffer area. Mr. Rini stated that the application was filed on 9 October 2015 and with Chatham Health District prior to that.

Mr. J. Stephens asked that the locations of the existing and proposed septic systems. Mr. Rini pointed out the locations. Mr. Rini reviewed the elevation plans.

Mr. Mingoello stated that the two parts of the roof have been connected to the front of the house. Mr. M. Stephens asked for the orientation to be from the lake. Mr. Mingoello indicated that the front of house is toward the road and the back is toward the lake.

Mr. M. Stephens stated that since the property was fairly stripped clean, that the Commission wanted to see a planting plan. Mr. Rini stated that the landscape plan identifies all proposed plantings.

Mr. J. Stephens asked if there will be access to the lake. Mr. Mingoello stated that a launch area belonging to the Hidden Lake Association (HLA) is right next to the property line. Mr. J. Stephens asked if there was a minimum width vegetated buffer from the shore (Best Practice Management). Mr. M. Stephens explained the standard. Discussion followed in regard to the HLA not having an easement.

Mr. Rini stated that the buffer will be maintained and that Mr. Mingoello has been checking the erosion controls (to be maintained during construction as well). Mr. J. Stephens asked if the plantings will be maintained at a specific height. Mr. Mingoello stated that a landscape architect prepared the plan and it's according to the law. Mr. M. Stephens stated that the plan indicates height. Mr. Chadwick asked if there will be mature trees planted. Mr. Rini reviewed the height and spacing of the trees as noted on the plan. Mr. M. Stephens asked that the areas in-between the plantings be mulched. Mr. Iwanicki stated that mulching is indicated on the plan. Mr. J. Stephens asked if a service would install the shrubs. Mr. Mingoello stated yes. Mr. Iwanicki stated that the question was whether he (Mingoello) would install the plantings or a landscape company. Mr. Mingoello stated he will probably hire a landscape company.

Mr. J. Stephens asked if the erosion and sedimentation (e&s) controls had been installed since the 28 September 2015 special meeting. Mr. Rini stated yes, they were installed and have been maintained.

Mr. M. Stephens asked where the curtain drain will flow to. Mr. Mingoello stated that the curtain drain cuts out anything coming from the road, that it will be refiltered, and repiped. Mr. M. Stephens asked that it be pointed out on the plan. Mr. Mingoello stated that he will do what the engineer tells him to do.

Mr. DeCarli asked if a new leaching system would be installed and if the old system will remain in place. Mr. Rini stated that there will be a new leaching system. Mr. Mingoello stated that the old system has to be removed.

Mr. J. Stephens asked if additional trees would be removed from the property. Mr. Mingoello stated that they were stopped and that he doesn't believe there are anymore that need to be removed. Mr. M. Stephens asked if only one area was cleared. Mr. Mingoello stated that the area to the side of the house has been cleared for years. Mr. Puska stated that there is a tree strip between the access to the lake and the property line.

Mr. J. Stephens asked if there needs to be additional discussion in regard to the addition. Mr. Puska stated once wetlands approval is granted, Mr. Mingoello must submit a zoning and building application which will be reviewed.

Mr. Rini asked if they would be allowed to remove the cut trees during the 15 day waiting period. Mr. M. Stephens stated that there will be two separate votes – one to rescind the Cease and Desist Order and one for the approval of the work to be done - and that there will be a 15 day waiting period. Mr. Iwanicki stated that he believes the logs could be removed as long as the e&s controls are in place and maintained. Mr. Iwanicki asked Mr. Puska to continue reviewing the site. The Commission agreed. Mr. Puska stated that a Notice to Proceed will need to be issued after the 15 day appeal period.

During Mr. Puska's explanation about the Notice to Proceed, there was mention of fill being brought on site. Mr. Iwanicki asked if fill will be brought in. Mr. M. Stephens stated yes, for the septic system.

Mr. Iwanicki stated that the reason for the removal of the Cease and Desist Order, issued 17 September 2015, is due to a remediation plan being presented to the Commission and a properly filed application.

MOTION: Joe Stephens moved to rescind the Cease and Desist Order. Dan Iwanicki second. Motion carried unanimously.

MOTION: Dan Iwanicki moved to approve the construction of a 12' x 4' covered front porch, a 15' x 15' addition, septic repair and remedial work in the upland review area area, Assessor's Map #72 A1 Lot #61 per site plan submitted 10-8-2015 and discussed at the October 13th, IW meeting. See map on file in the Land use Office. Map References: IW Permit #1308. Joe Stephens second.

Mrs. Batzner asked if the 15 day caveat (Condition a) had been included. Mr. M. Stephens stated no; and asked if Mr. Iwanicki and Mr. J. Stephens would amend the motion.

Mr. J. Stephens asked if there was a schedule in regard to the plantings. Mr. Mingoello stated he will speak to the landscape architect. Mr. M. Stephens noted that all e&s controls must be maintained. Mr. Puska stated the plantings probably should be installed after grading. Mr. Puska also stated that the Commission could request a landscape bond for the plantings if installation is being waived until the spring. The Commission felt the plantings could be installed within the next 30 days; and if any plantings shouldn't survive, the matter can be addressed in the spring. The Commission again made it clear that the e&s controls must remain in place and be maintained.

Mr. DeCarli asked how the Commission would like to address the splash pad at the end of the outlet – either by having it noted on the plans or if it should be a condition. The Commission agreed to make it a condition of the approval (Condition b).

After further discussion, Mr. Iwanicki and Mr. J. Stephens amend the motion to include both conditions.

MOTION: Dan Iwanicki moved to approve the construction of a 12' x 4' covered front porch, a 15' x 15' addition, septic repair and remedial work in the upland review area area, Assessor's Map #72 A1 Lot #61 per site plan submitted 10-8-2015 and discussed at the October 13th, IW meeting. See map on file in the Land use Office. Map References: IW Permit #1308. Joe Stephens second. **Conditions:** 1. Standard Permit Conditions. 2. Special Conditions/Modifications. Yes. a. Fifteen (15) day wait to allow for petition for public hearing. b. Note curtain drain outflow on plan details. Joe Stephens second. Motion carried unanimously.

Mr. Rini and Mr. Mingoello stated they wanted to ask the Commission a question after the close of the meeting pertaining to building around a cemetery. Mr. M. Stephens suggested speaking to Mr. Puska.

6. Old Business

None.

7. Approval/Correction of the Minutes

Prior to the approval of the minutes, Mr. Best asked when Mrs. Maule resigned and when Mr. Chadwick was appointed. Mr. M. Stephens stated that Mrs. Maule has not official resigned, but her intent is to do so. Mrs. Batzner stated that Mr. Chadwick was appointed sometime in July.

Corrections to the 10 August 2015 minutes: page 2, 100 Foot Review Area, last sentence – change “coming before them.” to “applying for a permit.” and page 3, Hidden Lake Association, fourth paragraph, last sentence – change “impervious” to “a pervious”.

MOTION: Dan Iwanicki moved to approve the 10 August 2015 minutes as amended. Curt Chadwick second. Motion carried unanimously.

Corrections to the 28 September 2015 Special Meeting: page 5, first paragraph, second line – insert “(Exhibit C)” after “dated 28 September 2015,”.

MOTION: Joe Stephens moved to approve the 28 September 2015 Special Meeting minutes as amended. Curt Chadwick second. Motion carried unanimously.

7a. Miscellaneous

5 Ledge Road – Mr. Best asked what a Mantis flow and daylight discharge are as noted in the Chatham Health letter. Mr. Puska stated that a mantis flow is an engineered leaching field and daylight discharge is exit at ground level. Mr. M. Stephens referred to daylight discharge as breakout over ground.

Hidden Lake, Treatment – Mr. Best asked if the need for treating the lake is due to bad discharges. Mr. M. Stephens stated he suspected so. A brief discussion followed.

15 Day Caveat – Mr. Iwanicki reviewed Section 11.4 and Section 9.1 of the *Wetlands Regulations*. A brief discussion followed in regard to Section 9.1 and the public’s ability to file a petition for public hearing and DEEP’s outlook on the matter.

8. Adjournment

MOTION: Paul Best moved to adjourn. Dan Iwanicki second. Motion carried unanimously.

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Monday, 9 November 2015.