

**MADISON INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
November 7, 2016  
7:30 PM – Meeting Room A – Madison Town Campus**

A regular meeting of the Madison Inland Wetlands Agency was held on Monday, November 7, 2016 at 7:30 p.m. in Meeting Room A, Madison Town Campus, with Robert Zdon presiding.

**Members Present:** Bob Zdon, Thomas Paul, Barbara Yaeger, John Mathieu, Dave Newton.

**Alternates Present:** Joseph Budrow, Kealoha Freidenburg, Mark Ferris.

**Members Absent:** Glenn Falk, Lee Schumacher.

**Others present:** Robert Kuchta, Inland Wetlands Enforcement Officer (hereafter IWO),  
Michael Jurewicz, Keith Ainsworth.

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Joseph Budrow called the regular meeting of the Madison Inland Wetlands Agency to order at approximately 7:35 p.m.

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**PUBLIC HEARINGS: None.**

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**REGULAR MEETING AGENDA ITEMS:**

- 1) **16-24. 75 Farm View Drive.** Map 146, Lot 53. Owner: Richard Boroczky; Applicant: Michael Jurewicz. Regulated Activity Permit for construction of a garage within the 100ft review area.  
**Receipt only.**

Michael Jurewicz, contractor, presented application 16-24, which proposes the construction of a 28'x34' attached garage addition with a bonus room above. As presented, the edge of the garage would be 1ft (possibly less) from the wetland boundary. The area of the proposed footprint is currently blacktop; there would be 5ft of blacktop remaining beyond the edge of the garage (toward wetland). Jurewicz stated that they looked for other places to put it, but found this is the only functional location.

- B. Yaeger noted that there are two different site plans: one shows the edge of the garage outside the wetland, but the other shows the corner of the garage within the wetland itself. She stated that they will need to verify the exact location.
- Based on the photo provided, it is evident that there is a shed currently located within the wetland. Jurewicz stated that it could be relocated elsewhere on the property.

<< B. Zdon arrived at this time. >>

- J. Budrow stated that the garage could likely be made smaller than proposed, to get out of the wetland.
- B. Yaeger stated that she would like the applicant to bring some sketches of alternative options to explain. For example, could it be shifted back by the existing deck?
- J. Budrow recommended that he bring elevation information; this would help the IWA to visualize the scope of the project (in relation to the wetland).
- D. Newton expressed that the IWA will need to know what they will be doing with the excess fill material, where they plan to put silt fencing, hay bales, etc.
- B. Yaeger recommended that they include an erosion control and sediment plan.
- J. Budrow summarized the main concerns that the IWA expects addressed at the next meeting:
  - a) Different, alternative options for the location (or size) of the proposed structure, so that it is out of the wetland.
  - b) Elevation information.
  - c) Detailed erosion control and sediment plan.

**MOVED:** by B. Yaeger, and seconded by B. Zdon, to receive Application 16-24 and formally review at the next meeting, December 5<sup>th</sup>. All other members present voted in favor. **MOTION CARRIED.**

<< At this time, B. Zdon took over as Chair >>

## **2) Discussion of the Tuxis Pond Vegetation Management Plan.**

IWO Kuchta reported that the Town has received grant money to restore the boardwalk by Tuxis Pond and that it has been proposed that a portion of those funds go toward vegetation management. The idea is to improve visibility of the pond. IWO stated that they are still in the exploratory stage, but he would like the IWA's input/concerns. B. Zdon asked about invasives. B. Yaeger suggested that they talk with a soil/wetland scientist to inventory the existing vegetation and determine the potential impacts to the pond/wetlands.

IWO Kuchta stated that they should schedule a site walk. It was agreed that IWO would email the members some dates/times.

## **3) Discussion of the Hummer Pond plan to lower the water level in the Pond.**

Bill Stableford presented an informal plan to ameliorate Hummers Pond, which is currently becoming over-vegetated. They (three owners of property adjacent to the Pond) have consulted with DEEP Fisheries Biologist Stephen Gephard, and All Habitats Services LLC (Branford, CT). As recommended by Gephard, they propose to temporarily lower the water level over the winter; this would allow a deep freeze to kill invasives at the roots. Stableford emphasized that they do not want to use chemicals or cause undue disturbance, but they do see a need to eliminate invasives and restore the pond, which is connected to the Fence Creek system and provides habitat for a

variety of wildlife. They hope to develop a comprehensive plan to be carried out over several years in order to maintain the pond in a healthy state.

- There was discussion about whether or not this activity could be classified as an As of Right Activity (not requiring a permit). IWO stated that they could view it as a non-regulated activity with conditions, or as a regulated activity requiring a permit.
- K. Freidenberg stated that sedimentation is a natural process of ponds; this proposal aims to maintain the pond in its pond state rather than to allow it to progress naturally. Keeping the pond is against the natural succession of pond life; essentially, it is an artificially created pond, to be maintained in an artificial way. J. Budrow stated that he views this plan as improving the habitat, rather than as a detriment.
- There was some discussion about mat of vegetation near the dam. It is unknown what plant species are present; they are awaiting a report from All Habitats LLC that will provide more details.
- B. Zdon acknowledged that if they do nothing, the sediment will continue to concentrate. B. Yaeger stated that she is not opposed to cleaning the pond, but the proposed method may have unintended adverse impacts on the surrounding wetlands. She expressed that they do not have enough information to feel comfortable making a decision at this time. There was some discussion about drought conditions across the State. While the drawdown is “reversible” in theory, there is no surety that it will revive if we do have adequate rains.
- J. Budrow stated that they will need to see the report from All Habitats. Stableford agreed that he will get the report to IWO Kuchta once available.
- Not all of the adjacent property owners have been contacted at this time.

Overall, the main concerns expressed by the IWA were the timing of the drawdown (vulnerability of dormant amphibians) and the impact the drawdown would have on surrounding wetlands. They recommended that the applicant have their consultants review the wetlands north of the pond, to Scotland Road. A more detailed plan will be needed. Because of the connectivity of the pond to a more complex wetland system, the IWA viewed this as a regulated activity.

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## **DISCUSSION OF CREAMERY LANE VIOALTION REMEDIATIONS**

T. Paul recused himself from the following discussion.

Keith Ainsworth, attorney representing the Land Trust, provided an update on the Creamery Lane violations. He reported that they have just received the restoration plans for #s 34 and 36; they are still talking with the homeowners about the plans. He stated that there are cost concerns, but the homeowners are understanding and accepting responsibility. Unfortunately, relations with the Suppa party are not positive; they will be going to court. IWA recommended that Ainsworth obtain a copy of the recording from the last meeting; there was a clear distinction between satisfying the wetlands violation versus the trespass violation. IWA members expressed appreciation toward Ainsworth for coming to the meeting and encouraged him to keep IWO Kuchta updated.

**SECTION 13 APPROVALS:**

**16-23. 61 Hickory Lane.** Map 128, Lot 34/1. Owners: Andrew Duffy & Mary Didiuk; Applicant: Hinding Tennis LLC. Regulated Activity Permit for construction of a tennis court within 100ft wetland review area. **Approved September 29, 2016.**

**16-25. 36 Silo Hill.** Map 107, Lot 36. Owner/Applicant: Sandra Natarelli. Regulated Activity Permit for construction of a shed within the 100ft wetland review area. **Approved October 31, 2016.**

**Robert Kuchta reviewed the Section 13 approvals.**

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**APPROVAL OF MINUTES:**

- Regular Meeting, October 3, 2016.

The minutes were reviewed and no amendments were made.

**MOVED:** by M. Ferris, and seconded by K. Freidenberg, to approve the minutes of October 3, 2016 as submitted. All other members present voted in favor. **MOTION CARRIED.**

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**REMARKS:**

*Inland Wetlands Chairman:* None.

*Inland Wetlands Officer:* Noted under “Discussion of Creamery Lane Violation Remediation”.

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**ADJOURNMENT:**

**MOVED:** By T. Paul, seconded by M. Ferris, to adjourn at approximately 9:15 p.m. All members present voted in favor. **MOTION CARRIED.**

Respectfully submitted,

Shauna Dowd

\*amendments to these minutes will be noted in future minutes.