

SUBJECT TO APPROVAL

**MADISON INLAND WETLANDS AND WATERCOURSES AGENCY
REGULAR MEETING MINUTES
March 6, 2023**

A Regular Meeting of the Madison Inland Wetlands and Watercourses Agency was held on Monday, March 6, 2023 at 7 p.m., remotely, using Zoom Videoconferencing. The public was invited to attend by joining the meeting through Zoom webinar link and password, telephone call-in number, and a webinar identification number. Log-in and call-in details were posted to the Town of Madison website prior to the meeting.

MEMBERS PRESENT: Chairman Kealoha Freidenburg, Vice Chairman Joseph Budrow, Secretary Robert Zdon, Tom Clancy, Anna Loss and Martin Brogie

MEMBERS ABSENT: Lee Schumacher

OTHERS PRESENT: Erin Mannix, Town Planner and agent for Madison Inland Wetland and Watercourse Agency

Chairman Freidenburg called the meeting to order at 7:02pm and seated Anna Loss as a regular voting member.

PUBLIC HEARING:

22-42. 31 Stony Lane. Map 35, Lot 25-2, Parcel formally identified as north-eastern 5.8225 acres of 353 Boston Post Road, Map 36, Lot 25 Owners: Kingsley Goddard and Kelly Ann Quinlan, Applicant: The Residences at Barberry Farm, LLC; Regulated Activity Permit to construct twelve (12) detached single-family dwellings and associated site improvements within upland review area. ***(Extension Granted. Request to continue hearing to 3/6/23 meeting)***

Mrs. Mannix states the applicant has been working on responding to third party reviews / comments and have exceeded their statutory timeframe to grant any extensions. The application has been formally withdrawn in order to incorporate all of the previous application materials, and would likely be before the agency at the next meeting.

REGULAR MEETING:

23-05. 11 Yankee Peddler Path. Map 49, Lot 62. Owners: Bret and Karis Lagasse, Applicant: Michael Martocci, Poolscape Pools; Regulated Activity Permit to install an 18 x 36 inground pool in a wetland review area.

Present for application – Michael Martocci, pool contractor from Poolscape and Bret & Karis Lagasse, owners. The site development plan was shared and reviewed for the commission. Per Mrs. Mannix, the Inland Wetland delineation was done by R. Richard Snarski, soil scientist and erosion & sedimentation controls were also shown and include filter fabric fencing.

Commissioner Brogie made the motion to approve application #23-05. 11 Yankee Peddler Path. Map 49, Lot 62. Owners: Bret and Karis Lagasse, Applicant: Michael Martocci, Poolscape Pools; Regulated Activity Permit to install an 18 x 36 inground pool in a wetland review area as shown on site development plan entitled, “Limited Property Survey” 11 Yankee Peddler

Path, Madison, CT, by RCL Thompson, LLC. Dated September 19, 2022 with the following conditions:

- 1. The Inland Wetland Agency's agent shall be notified at least 48 hours prior to commencement of any regulated activity.**
- 2. At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as fabric filter fence, staked hay bales or other measures deemed necessary by the Agency's agent to prevent erosion and sedimentation impacts to the wetlands and watercourses. Erosion control and soil stabilization measures shall comply with the approved plan and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, 2002.**

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, deposition of fill, obstructions of flow, encroachments or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Madison Inland Wetlands and Watercourses Agency reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes 22a-36 through 22a-45 inclusive.

The Inland Wetlands and Watercourses Agency renders this decision in accordance with the Madison Inland Wetlands and Watercourses Regulations based on the following considerations:

- a. No direct impacts to the wetlands or watercourses are proposed and potential indirect impacts have been mitigated through adequate sedimentation and erosion control measures.**

Seconded by Commissioner Clancy.

IN FAVOR: Chairman Kealoha Freidenburg, Vice Chairman Joseph Budrow, Secretary Robert Zdon, Tom Clancy, Anna Loss and Martin Brogie

OPPOSED: None.

ABSTAINED: None

23-06. 14 New Road. Map 49, Lot 26. Owner/Applicant: Precision Land Holdings LLC; Regulated Activity Permit for renovations and a 4,170 sqft addition to existing manufacturing building with associated site improvements including replacement of a storm drain.

Tabled to the April meeting.

23-07 304 Copse Rd. Map 65, Lot 6. Owners: L. Aland and Wendy Duques, Applicant: L. Alan Duques; Regulated Activity Permit replace entire septic system as well as build a 256 sqft addition, renovation existing deck and install a patio within the 100 ft upland review area.

Present for Application – Chuck Mandel, professional engineer from Thomas A. Stevens & Associates. Per the agency’s site walk, details of a revised proposal including requested information were shown on the site development plans and reviewed for the agency. Michelle Ford, certified soil scientist completed a wetland report detailing general functions and values of the wetland system. Commissioner Brogie asked where’s the reserve area. Mr. Mandel states for existing construction / existing houses, no reserve is required. As for stump removal, they will be removed and replaced, as updated on the plan. Commissioner Loss asked when were the wetlands reconfirmed. Mrs. Mannix states, December 13, 2022; note 35 on the plan.

The following staff report and draft resolution was provided for the agency:

VOTED that the Madison Inland Wetlands Agency approve application #23-07 304 Copse Rd. Map 65, Lot 6. Owners: L. Aland and Wendy Duques, Applicant: L. Alan Duques; Regulated Activity Permit replace entire septic system as well as build a 256 sqft addition; renovation existing deck; install a patio and remove stumps & regrade areas of lawn within the 100 ft upland review area as shown on plans by Thomas A Stevens & Associates, entitled “Septic Design Plan and Inland Wetlands Regulated Activity Plan prepared for Wendy and Alan Duques, 304 Copse Rd” dated, February 27, 2023 with the following conditions:

1. The Inland Wetland Agency’s agent shall be notified at least 48 hours prior to commencement of any regulated activity.
2. At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as fabric filter fence, staked hay bales or other measures deemed necessary by the Agency’s agent to prevent erosion and sedimentation impacts to the wetlands and watercourses. Erosion control and soil stabilization measures shall comply with the approved plan and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, 2002.

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, deposition of fill, obstructions of flow, encroachments or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Madison Inland Wetlands and Watercourses Agency reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes 22a-36 through 22a-45 inclusive.

The Inland Wetlands and Watercourses Agency renders this decision in accordance with the Madison Inland Wetlands and Watercourses Regulations based on the following considerations:

- a. No direct impacts to the wetlands or watercourses are proposed and potential indirect impacts have been mitigated through adequate sedimentation and erosion control measures.

VC Budrow made the motion to approve application 23-07, 304 Copse Rd. to install a new septic system, tree removal and stumping as presented on the site plan with all of the conditions presented in staff memo. Seconded by Commissioner Clancy.

IN FAVOR: Chairman Kealoha Freidenburg, Vice Chairman Joseph Budrow, Secretary Robert Zdon, Tom Clancy, Anna Loss and Martin Brogie

OPPOSED: None.

ABSTAINED: None

RECEIPT(S):

23-09 Stone Rd., Map 12, Lot 103-1. Owners/Applicants: Andrew Corwin and Pamela D'Arc; Regulated Activity Permit construct a single-family home with hot tub and associated site improvements within a wetland review area.

Agency members agreed site walk is needed.

23-10 66 Signal Hill Rd., Map 30, Lot 44. Owner: Susan Hartman, Applicant: Anderson Engineering & Surveying Associates; Regulated Activity Permit to install and grade a driveway within 100' upland review and construct a garage outside of the 100' upland review area.

Agency members agreed site walk is needed.

23-11 Mungertown Rd., Map 56, Lot 1. Owner: Town of Madison, Applicant: Madison Board of Education; Regulated Activity Permit to construct a new elementary school with paved parking lot and associated site improvements within a wetland review area.

Agency members agreed a site walk is needed. After discussions of significant activity requirements, agency members then agreed a third-party review of the application is needed for the wetlands and environmental impacts, an RFP solicitation will be sent out for services. Agency members also agreed a third-party review of engineer documents can be done by the Town.

Chairman Freidenburg left the meeting after discussions.

Commissioner Brogie made the motion to schedule a public hearing for 23-11 Mungertown Rd., Map 56, Lot 1. Owner: Town of Madison due to significant activity for the May meeting. Seconded by Secretary Zdon.

IN FAVOR: Vice Chairman Joseph Budrow, Secretary Robert Zdon, Tom Clancy, Anna Loss and Martin Brogie

OPPOSED: None.

ABSTAINED: None

SECTION 13

23-04. 41-42 Wilshire Ln. Map 39, Lot 87. Owner/Applicant: Kennsington Acres South Owners Assoc., Inc.; Regulated Activity Permit to relocate failed septic system within a wetland review area.

Approved as section 13.

VIOLATIONS

144 Neck Rd. Map 24, Lot 1. Owner: Patrick & Brian H. & Rita Boutilier-Clearing of trees/vegetation and deposition of material (wood chips) within 100ft upland review area of inland wetland and watercourse without regulated activity approval.

Secretary Zdon left the meeting.

Present for Application – Patrick Boutilier, owner; and Rob Sonnichsen from Waldo & Associates, professional engineers and land surveyors. Mrs. Mannix gave an overview of the violation, stating in January the applicant appeared before the agency for a show cause hearing for a notice of violation for clearing of trees within the assumed inland wetland upland review area. Per the corrective order, the inland wetland boundary and location of all trees removed were delineated by Robert Russo, soil scientist, and a mitigation proposal provided by the soil scientist was received. The A-2/T-2 survey was shown depicting existing conditions on site.

VC Budrow asked why were the trees taken out. Mr. Boutilier states due to storm damage in December a bunch of the trees / branches came down, so a tree company was hired to remove the trees close to the house. He further states, based on the delineation of the trees that were cut, majority of them were not in the wetlands. A summary of the mitigation plans as well as the planting schedule and the trees that were cut and taken out were reviewed by Mr. Sonnichsen for the agency. Mr. Boutilier further states there will be extensive renovations to the house, so they plan on returning to the agency with modifications shown on the site.

After discussions, Commissioner Brogie proposed reinstallation of some of the larger trees to cast shade in the restoration area. Further adding that the soil scientist, Rob Russo should make these recommendations for the shade trees along the boundary - 15 to 20 feet high, with some overlapping canopy.

The following revised corrective action order was provided for the agency.

VOTED that the Madison Inland Wetlands Agency amend the Cease & Correct Order from January 17, 2023 for **144 Neck Rd.** Map 24, Lot 1. Owner: Patrick & Brian H. & Rita Boutilier-Clearing of trees/vegetation and deposition of material (wood chips) within 100ft upland review area of inland wetland and watercourse without regulated activity approval to include the following directives:

1. Under the supervision of a qualified professional, such as a wetland scientist, the property owner shall implement the mitigation planting plan as detailed by Robert Russo in his letter dated March 3, 2023. This is more specifically detailed in the "Wetland Mitigation Plan Map 144 Neck Road, Madison, CT, prepared by Waldo & Associates, LLC" dated March 3, 2023. The plantings shall be installed no later than June 30, 2023.
2. The applicant shall have a wetland scientist monitor the health and viability of the plantings for a minimum of three (3) years from date of installation. Annual reports shall be submitted to the Agency's agent. Upon completion of the monitoring program, a minimum of 80% survival rate for the plantings shall be maintained.
3. All sedimentation and erosion control measures shall remain in place until the site is sufficiently stabilized to the satisfaction of the Inland Wetland Agency's agent.

After discussions, the following motion was made:

Commissioner Brogie made the motion to approved the resolution as proposed by the inland wetland agent for 144 Neck Rd with the conditions as stipulated: In addition to the planting plan, proposed by Robert Russo and his letter, dated March 3, 2023 to suggest to the Commission to add the installation of 8 additional trees that would provide shade along the wetland perimeter. Trees that should be installed no less than 15 feet in height, and be of species recommended by the wetland scientist. In addition to condition #2, the applicant should have the wetland scientist monitor the health and viability of the plantings for a minimum of 3 years, and they should have a survivorship of 80%, and that all sedimentation erosion control measures be maintained during the course of the project to the satisfaction of the wetland agent. Seconded by Commissioner Loss.

IN FAVOR: Vice Chairman Joseph Budrow, Tom Clancy, Anna Loss and Martin Brogie

OPPOSED: None.

ABSTAINED: None

CORRESPONDENCE

93 Blakeman Rd. DEEP Permit Application for the Use of Pesticides.

Mrs. Mannix states the correspondence is for informational purposes for the Commission on Pesticide treatment for aquatic Invasives.

APPROVAL OF MINUTES: Special Walk Meeting Minutes January 7, 2023
Regular Meeting Minutes January 9, 2023

Minutes for February tabled to the April meeting.

REMARKS: Inland Wetlands Chairman – None
Inland Wetlands Agent – None

ADJOURNMENT

Commissioner Clancy made the motion to adjourn at 8:28p.m.; seconded by Commissioner Brogie and unanimously approved.

Respectfully Submitted,
Racquel Stubbs