

SUBJECT TO APPROVAL

**MADISON INLAND WETLANDS AND WATERCOURSES AGENCY
REGULAR MEETING MINUTES
June 6, 2022**

A Regular Meeting of the Madison Inland Wetlands and Watercourses Agency was held on Monday, June 6, 2022 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 and Secretary Robert Zdon, John Mathieu and Lee Schumacher

ALERNATE PRESENT: Anna Loss

MEMBERS ABSENT: Martin Brogie

OTHERS PRESENT: John DeLaura, Zoning Enforcement Officer/Inland Wetlands Officer; Erin Mannix, Town Planner

Chairman Freidenburg called the meeting to order at 7:03pm.

REGULAR MEETING

22-15. 17 Carmel Court. Map, 109, Lot 52. Owner/Applicant: Mathew Christoff; Regulated Activity Permit to remove trees and install a 16 x 34 in ground pool within a wetland review area. **(Continued from 4/4/22)**

Matthew Christoff, owner and Michael Martocci from Poolscape were present for the application. Mr. Christoff states since the last meeting they had a professional surveyor and engineer provide an updated plan. The new plan – 17 Carmel Court, Zoning Location Survey dated 05/18/22 was shown. He states the new plan reflects an updated site plan with the pool, and an addition that had been added to the house after their original survey. He further states their septic system was also reviewed (the site plan shows relocation of the septic system) and the pool is essentially closer to the house as opposed to being very close to the wetlands. Also, in the plan there are only 3 trees that needs to be removed. Chairman Freidenburg asked if there's a proposed schedule? Mr. Christoff states they are waiting on the results from the soil test, shortly after they would remove the trees and perform the work for the septic system–septic hopefully to start July. And beginning sometime in late July or August on the pool work.

Chairman Freidenburg asked Mr. DeLaura or Mrs. Mannix if the septic work was apart of this application or if its separate. Mr. DeLaura states typically, it would be separate but he believes both can be viewed simultaneously, and as one application, because the agency asked the applicant to move the pool to get away from the Wetlands, and as a consequence of that, relocate the sanitary system. Chairman Freidenburg agreed that was fine and stated if more information was needed this could become a section 13.

Vice Chair Budrow suggested making the following condition- that possible approval does include the relocation of part of the septic.

Mrs. Mannix agreed that it would be appropriate to have that into the resolution that it includes the septic system and its also her recommendation that the agency condition the approval on sedimentation and erosion controls which are not currently shown on the site development plan. She further asked about location of stockpiles. Mr. Martocci states they will be hauling off site during excavation.

Vice Chair Budrow made the motion to approve application 22-15. 17 Carmel Court as shown on the survey with 2 conditions: 1. that a silt fence, E&S barrier location be drawn on for any future plan submission going forward, and 2. the relocated section of the septic system be included in this approval, since it is a result of the swimming pool being relocated from its very first proposed location. Seconded by Commissioner Schumacher.

IN FAVOR: Chairman Freidenburg, Vice Chairman Joseph Budrow and Secretary Robert Zdon, John Mathieu and Lee Schumacher

OPPOSED: None.

ABSTAINED: None.

RECEIPT

22-23. 15 Prospect Street. Map 16, Lot 12. Owners: Hilary and Curtis Baker; Applicant: Gulick & Company; Regulated Activity Permit to convert existing house into pool house/residence, and construct an addition on to existing structure, house will be raised to FEMA compliance and existing storm pipe to be relocated. Also, installation of a pool, patio and landscape walls and landscaping.

Chairman Freidenburg noted a site walk is needed since the project entails extensive remodeling.

Commissioner Schumacher made a motion to do a site walk for application 22-23. 15 Prospect Street. Seconded by Chairman Freidenburg.

IN FAVOR: Chairman Freidenburg, Vice Chairman Joseph Budrow, Secretary Robert Zdon, John Mathieu and Lee Schumacher

OPPOSED: None.

ABSTAINED: None.

22-24. 154 Race Hill Rd. Map 141, Lot 51. Owners/Applicants: Steven and Diane Vyce; Regulated Activity Permit to construct a 12' x 48' front porch, a 6' x 23' kitchen bump out in rear of house, a 20' x 25' garage addition on the west side of house and a 41' x 14' deck in a wetland review area.

Mr. DeLaura states he spoke with the owner, noting that the agency would need more information before the next meeting, such as a reference map for the plan submitted, photos, topography, sedimentation and erosion controls methods etc.

Secretary Zdon asked if he needed to recuse himself from this application as he lives across the street from the applicant, he wondered if this would be a conflict. After discussion, Mr. DeLaura states he will send an email, reaching out to the owner to have a written recorded response.

Chairman Freidenburg made the motion for a site walk for application 22-24. 154 Race Hill Rd. Seconded by Commissioner Schumacher.

IN FAVOR: Chairman Freidenburg, Vice Chairman Joseph Budrow, Secretary Robert Zdon, John Mathieu and Lee Schumacher

OPPOSED: None.

ABSTAINED: None.

22-26. 353 Boston Post Rd. Map 36, Lot 25. Owner: Kingsley Goddard and Kelly Ann Quinlan; Applicant: The Residence at Barberry Farm, LLC; Regulated Activity Permit for proposed Planned Development District within the 100' review area. Limit disturbance to 50' minimum.

Chairman Freidenburg notes this application is for 21 homes with activity in the regulated area and suggests that this goes to a public hearing. She also states staff is also recommending a public hearing given the scope of this project. She further states the agency / Town is able to hire consultants such as a soil scientist, engineer etc. to help with the review of this application.

Mrs. Mannix states the Town requests proposals from different consulting firms and brings recommendations to the Commission to decide who they would like to hire. She states the firm will be reviewing the proposed drawings, site development plans, reports and supplemental information that's submitted. Also, in the scope of services, the agency can request their presence at meetings to be able to participate in the public hearing process.

Mrs. Mannix recommends the site walk be pushed into July closer to the actual opening of the public hearing to allow time to get a consultant on board who may be able to come to that meeting.

Commissioner Schumacher made the motion to schedule a public hearing, schedule a sidewalk and have the town retain an independent engineer and soil scientists to assist in application 22-26. 353 Boston Post Road. Seconded by Commissioner Mathieu.

IN FAVOR: Chairman Freidenburg, Vice Chairman Joseph Budrow, Secretary Robert Zdon, John Mathieu and Lee Schumacher

OPPOSED: None.

ABSTAINED: None.

SECTION 13

22-14. 27 Scenic Rd. Map 115, Lot 69. Owner/Applicant: Andrea Aron; Regulated Activity Permit to place a pre-built 10 x 14 shed on crushed stone within the wetland review area.

Mr. DeLaura states he went to the property and staked out where the shed would go – there was no conflict with rocks, boulders or trees. A plan was shown for reference with a sketch of the shed location by Mr. DeLaura. He states there is minimal impact on the wetlands with its new revised location.

22-20. 959 Boston Post Rd. Map 39, Lot 86. Owner/Applicant: Robert John Oman and Jyl Lozier-Oman; Regulated Activity Permit to construct a 24' x 24' garage on a slab approximately 52' from the closest flag on a flat area above a sloped wetland.

Mr. DeLaura states this is an existing property, and the proposed garage is in the back of the property. He further states there are 2 wetlands; one to the north, and one to the south. The property is on a plateau, and it slopes in the wetlands. He did not see this as an impact to the wetlands as it's below the plateau.

22-21. 9 Sperry Ln. Map 122, Lot 32. Owner: Andrew and Kelly Acquarulo; Applicant: Fortissimo Builders, LLC; Regulated Activity Permit to build 8' x 8' foot above ground pool deck approximately 50 feet from the closest wetland flag.

Mr. DeLaura states the agency looked at this project in June 2021 and the pool was done as a section 13. He states the 8 by 8 deck is further away (from the wetlands) and the post will be hand dug and excess material would be removed. So, this was done as a section 13.

DISCUSSION

Request for Extension of Approval. 67 Boston Post Road, East River Farms condominium development.

Mrs. Mannix states this is an affordable development that was approved in April 2009. She states an approval prior to July 1, 2011, that had not expired, allowed for an extension of site plan approvals and wetland approvals, which allowed a permit to be valid for 9 years with the ability for the Commission to grant one or more extensions for an additional 5 years, for a total of no more than 14 years from the original date of approval. She states this project is constructed in phases and residents have concerns such as the lack of stormwater infrastructure and outstanding site improvements.

Mrs. Mannix states she and Mr. DeLaura has been working with the developer and their engineer to go through a punch list of items that are outstanding on the project, and most of the drainage has been installed since.

Mrs. Mannix states the Planning and Zoning Commission had this on their agenda as well, and staff suggested that prior to the next certificate of zoning compliance for one of the units that the applicant needs to have site improvement, drainage, and paving of the share driveway completed, and if they're unable to make those improvements prior to the next closing, they may offer a financial guarantee.

She further states the commission is obligated to grant an extension for one more year which would be April 15, 2023 and further recommends that one-year extension, and then, requiring the development to return to the agency with an update as to the status of the project prior to granting any additional extensions.

Chairman Freidenburg made a motion to grant the extension for 67 Boston Post Road until April 15, 2023. Seconded by Commissioner Schumacher.

IN FAVOR: Chairman Freidenburg, Vice Chairman Joseph Budrow, Secretary Robert Zdon, John Mathieu and Lee Schumacher

OPPOSED: None.

ABSTAINED: None.

Approval of Minutes:

Regular Meeting Minutes February 7, 2022

For application 22-01. Warpas Road – **Vice chair Budrow presided at that time.**

Vice Chair Budrow made the motion to approve the February 7, 2022 minutes as amended; seconded by Commissioner Mathieu.

IN FAVOR: Chairman Freidenburg, Vice Chairman Joseph Budrow and Secretary Robert Zdon, John Mathieu and Lee Schumacher

OPPOSED: None.

ABSTAINED:

Regular Meeting Minutes May 2, 2022

Commissioner Schumacher made the motion to approve the May 2, 2022 minutes as submitted; seconded by Commissioner Mathieu.

IN FAVOR: Chairman Freidenburg, Vice Chairman Joseph Budrow and Secretary Robert Zdon, John Mathieu and Lee Schumacher

OPPOSED: None.

ABSTAINED:

Remarks: Inland Wetlands Chairman

Inland Wetlands Officer

Chairman Freidenburg and Mr. DeLaura welcomed new alternate member Anna Loss. Commissioner Loss states she's a wetland scientist and has been in the field for 12 years.

There was a brief discussion about the role of alternate members.

Adjournment

Commissioner Schumacher made the motion to adjourn at 8:15p.m.; seconded by Vice Chair Budrow and unanimously approved.

Respectfully Submitted,

Racquel Stubbs