

**SUBJECT TO APPROVAL**

**MADISON INLAND WETLANDS AND WATERCOURSES AGENCY  
REGULAR MEETING MINUTES  
August 1, 2022**

A Regular Meeting of the Madison Inland Wetlands and Watercourses Agency was held on Monday, August 1, 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, Secretary Robert Zdon, John Mathieu, Martin Brogie and Lee Schumacher

**ALERNATE PRESENT:** Anna Loss

**MEMBERS ABSENT:** Vice Chairman Joseph Budrow

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

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

**REGULAR MEETING**

**22-23. 15 Prospect St.** 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

Present for the application- Michael Harkin, professional engineer from Harkin Engineering; Travis Gulick from Gulick & Company; and Hilary Baker, owner. Mr. Harkin states they have reduced the size of the project and removed the pool, retaining walls, and relocation of the storm drain pipe from the application – which reduces the overall disturbance for the project. He further states, the applicant will return to the Agency with an application for the pool and site improvements once they have figured out the outlet of the pipe in the wetland area. Mr. Harkin asked if there were any stipulations in digging up the pipe by hand. Mrs. Mannix states the Town has some responsibility in the location of the pipe and suggests working with the Town and Town engineer. Commissioner Brogie asked if the addition included a full basement or slab and would there be a stockpile area on site. Mr. Gulick states the basement is a crawl space for mechanicals and Mr. Harkin confirmed there will be no stockpiling on site as per the plans.

**Commissioner Schumacher made the motion to approve application 22-23. 15 Prospect St. 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. Also, the applicant should receive a full copy of the recommendation approval letter dated August 1, 2022. Seconded by Commissioner Brogie.**

IN FAVOR: Chairman Freidenburg, Secretary Zdon, John Mathieu, Anna Loss, Lee Schumacher and Martin Brogie

OPPOSED: None.

ABSTAINED: None

**22-29. 544 Opening Hill Rd.** Map 116, Lot 1. Owner/Applicant: Timothy Mack; Regulated Activity Permit application to modify approved site plan to relocate the house alter driveway configuration within 100ft. upland review area.

Present for the application – Bob Doane, professional engineer and licensed land surveyor. Mr. Doane states a revised plan was submitted (which was shown for the agency). He states, since the agency's site visit, the limits of clearing and landscaped lawn have been identified. Mr. Doane states they are proposing a 4ft wide wood chip planting bed and the trees will remain with maintenance cutting only. A silt fence was also installed and will remain until the site is stabilized. He also states the footing drains are shown on the plan. Commissioner Brogie asked about the size of the plantings; Mr. Doane states 3-4ft as per the planting list on the plan. Commissioner Brogie suggests the plants should be monitored to indicate whether they are thriving or not. Mrs. Mannix suggested that the plants could be bonded. Commissioner Loss mentioned reflagging the wetlands as some of the flags were missing during the site walk.

**Commissioner Brogie made a motion to approve application 22-29. 544 Opening Hill Road, Map 116, Lot 1 with the following conditions, the Inland Wetland Agency's agent shall be notified at least 48 hours prior to commencement of any further regulated activity and that erosion control is stabilized as discussed with the addition of wood chips along the skirt and or other measures deemed necessary by the agent to prevent erosion and sedimentation impacts to the wetlands and watercourses. That there be an annual report to the Inland Wetland agency regarding the health of the proposed wetland plantings; continued for a period of 3 years until the plants have been demonstrated to be surviving adequately, and if not, that the ones that fail should be replaced. Lastly, for the Wetland flags to be, reinstalled in their original locations on the property. Seconded by Commissioner Loss.**

During discussions, it was noted that the plants should be bonded – a financial guarantee – rather than an annual report as the house will be sold.

**Commissioner Brogie modified to say a bond equivalent to the cost of the plantings.**

**Per Chairman Freidenburg, a request for 80% survival is recommended for the plants (80% of what was planted to be there) for at least 3 years.**

IN FAVOR: Chairman Freidenburg, Secretary Zdon, John Mathieu, Anna Loss, Lee Schumacher and Martin Brogie

OPPOSED: None.

ABSTAINED: None

**22-30. 183 Race Hill Rd.** Map 141, Lot 32. Owner/Applicant: Robert Zdon; Regulated Activity Permit to clear invasives and cut dead trees in a wetland review area.

Secretary Robert Zdon recused himself from this application.

Mr. Zdon states the application is for the removal of 5 dead trees – to be replaced with smaller trees and noninvasive plants. He further states that 100yds away from the 5 trees, he would also like to

remove two other dying trees further to the house. Mrs. Mannix showed an aerial photo of the area and confirmed the trees are in fact dying and states the removal of the trees are all in the upland area as the closest wetland system is on the other side of the road. Mr. Zdon further states there will be no stockpiling on site. Commissioner Loss states she was ok with this application as long as the trees that are being replaced with the new trees are native.

**Commissioner Schumacher made the motion to approve application 22-30. 183 Race Hill Rd with the conditions that the applicant notify the Inland Wetland agent at least 48 hours prior to commencement of any regulated activity. 2. All trees and brush removed from the property shall be outside the 100ft upland review area. Any disturbed soil shall be immediately stabilized with seed and hay. Seconded by Chairman Freidenburg.**

**Chairman Freidenburg states to specify native plantings.**

IN FAVOR: Chairman Freidenburg, John Mathieu, Anna Loss, Lee Schumacher and Martin Brogie  
OPPOSED: None.  
ABSTAINED: None

**22-32. 1389 Durham Rd.** Map 146, Lot 2. Owners: Thomas and Rebeka Knowlton; Applicant: Thomas Knowlton; Regulated Activity Permit application to construct a two-story addition for 3 car garage addition with living space above and installation of new bituminous concrete driveway within 100ft upland review area.

Present for the application – Thomas Knowlton, professional civil engineer, and the homeowner and resident of 1389 Durham road. A site drawing for 1389 Durham Rd was shown and Mr. Knowlton states the closest point of the driveway is at the northern end, and it's about 10 feet away from the water course and it widens out at the southern end to about 28 feet away from the water course. He continues to say the driveway shown runs parallel to the front edge of the house. Chairman Freidenburg states there's a lot of pavement in the lawn area and recommends a vegetated buffer for stormwater runoff. Commissioner Loss states the plans does not show grades or topography of where the drainage would flow. Commissioner Brogie asked about the survey map as he wondered about the accuracy of the location of the watercourse and would feel more comfortable if this was reviewed by a soil scientist - flagged and surveyed – and to have the wetlands delineated in relation to the house.

After discussions, Mrs. Mannix states staff will review some of the recommendations made by the agency with the applicant as there were concerns about the impervious surface, the location of the watercourse, minimizing and management of the water runoff.

**22-33. 100 Bradley Rd.** Map 38, Lot 78. Owner: NHP MADISON, LLC, New York Limited Liability Company, f/k/a The Hearth at Tuxis Pond, LLC; Applicant: Fedus Engineering, LLC, Agent for Gulick Construction, LLC; Regulated Activity Permit application to install storm water drainage system and pave Brookside Road within 100' upland review area.

Present for the application – attorney Chris McKeon; Travis Gulick of Gulick Construction and Gregg Fedus, professional engineer from Fedus Engineering. Mr. McKeon gave an overview of the project and states both the area and vegetation are stable; the applicant is seeking approval to pave roughly 1200sqft of existing gravel roadway and install stormwater drainage within the 100 ft upland review area. This is an extension of an approved Planning & Zoning special exception permit that included

the construction of a residential development on 45 Wall Street and the paving of Brookside Rd up to the 100ft upland review area.

Mr. Fedus shared and reviewed the proposed plan of the site and states a letter from David Lord, a wetland scientist dated August 1, 2022 was submitted for the record. Commissioner Brogie asked for more information on the catch basins in the road and also how will erosion be controlled for the project. Mr. Fedus states the plan shows a silt fence running to the west of the disturbed area, the current roadway is gravel and is stable- he further states there is not a lot of erosion or sediment movement.

Mr. Gardner from the public, 14 Brookside Rd – states this project was acceptable to him as long as the paving goes past his driveway, and whatever is in front of that remains as the gravel untreated area.

Chairman Fredinburg agreed by stating the agency is trying to minimize the disruption, since it's pretty well established in that area closest to the Wetland.

**Secretary Zdon made the motion to approve application 22-33. 100 Bradley Rd. Map 38, Lot 78 with the following conditions: 1. 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. 3. That an updated site development plan set be submitted to the Agency reflecting the July 29, 2022 revisions. 4. That owner's written permission be submitted to the Agency's Agent prior to any site disturbance on the property. 5. That the silt fence location be relocated and installed at the actual limit of disturbance rather than on the wetland boundary. This revised location shall be shown on the updated plan set.**

**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 Schumacher.**

IN FAVOR: Chairman Freidenburg, Secretary Zdon, John Mathieu, Anna Loss, Lee Schumacher and Martin Brogie

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 for the construction of 22 detached single-family dwellings, associated subsurface sewage treatment systems, stormwater management system, installation of associated utilities, and common driveways within 100ft upland review area. *(Public Hearing Extension Scheduled for 9-12-22)*

A site walk will be scheduled closer to the public hearing.

### **SECTION 13**

**22-25. 38 Old Route 79.** Map 48, Lot 51. Owners/Applicants: Vincent and Isabel Castellano (Kincast, LLC), Regulated Activity Permit to place a 10 x 12 shed on crushed stone in a wetland review area.

Approved as section 13.

**22-28. 48 Bower Rd.** Map 78, Lot 6. Owners Bridget and Dominic Vuolo; Applicant: Fillion Building & Remodeling. Regulated Activity Permit to construct a 16 x 16 sunroom in rear of house within a wetland review area.

Approved as section 13.

**22-27. 180 Concord Drive.** Map 124, Lot 21. Owner/Applicant: Donna H. Cronin, Regulated Activity Permit for removal of diseased Beach Trees in a wetland review area.

Mrs. Mannix states it's evident the Beach Trees are in fact diseased and dying, she noted there will be no stump removal. Approved as Section 13.

### **RECEIPTS**

**22-36. Race Hill Rd.** Map 139, Lot 22. Owner/Applicant: Robert Uthoff, Jr., Regulated Activity Permit for construction of 20ft span-6ft rise galvanized steel structural plate bottomless arch culvert that will carry a private residential driveway over Dowd Hollow Brook

Mrs. Mannix states there is significant activity for this application as defined in the agency regulations and third-party review of the application may be needed. She further states a site walk should be scheduled and that this application calls for a public hearing discussion. Shown for the agency was section 7.6 of the regulations adopted Jan 17, 1974 with revisions through April 4,

2011. This section was reviewed by Mrs. Mannix. Commissioner Loss asked if any vegetation will be taken out for this project and if so, will there be a replacement. Chairman Freidenburg states she is interested in the ecological impacts and Commissioner Brogie asked about a wetland assessment. Per section 7.6, agency members were interested in A-G – to have a reported response from the applicant. Mrs. Mannix further states that there are additional permit requirements beyond local jurisdictions which was confirmed by Mike Ott, Summer Hill Civil Engineers & Land Surveyors, P.C – Mr. Ott states Richard Snarksi, soil scientist will prepare an evaluation and impact report. After further discussions the agency agreed a third-party consultant review was not needed at this time.

**Approval of Minutes:**

- Regular Meeting Minutes July 11, 2022
- Special Walk Meeting Minutes July 28, 2022

**Commissioner Schumacher made the motion to approve the July 11, 2022 regular minutes and the special walk meeting minutes of July 28, 2022 as submitted; seconded by Commissioner Loss and unanimously approved.**

**Remarks:** Inland Wetlands Chairman - None

Inland Wetlands Officer - None

**Adjournment**

**Commissioner Brogie made the motion to adjourn at 9:08p.m.; seconded by Commissioner Schumacher and unanimously approved.**

Respectfully Submitted,  
Racquel Stubbs