



TOWN OF MONROE INLAND WETLANDS COMMISSION

7 Fan Hill Road
Monroe, Connecticut, 06468

Inland Wetlands Department: (203) 452-2809

Fax: (203) 261-6197

Inland Wetlands Agent: Scott H. Schatzlein, P.E.

Note: Meetings are Video and Audio Recorded

Minutes of May 11, 2016 Regular Meeting

I. Call to Order:

The Regular Meeting of the Inland Wetlands Commission ("Commission") was called to Order at 7:03 p.m.

(A) Pledge of Allegiance

(B) Roll Call

Present: Michael S. Muttitt, *Chairman*
Jason Grady, *Vice-Chairman*
Lois Spence, *Secretary*
Meghan Hayden, Esq., *Treasurer*
Peter Oliva, *Commissioner*
Ross Mastrorocco, *Commissioner*

Absent: James Stewart, P.E., L.S., *Commissioner*

Also Present: Scott Schatzlein, P.E., *Land Use Director, Town Engineer, Inland Wetlands Agent*
Donna Suszynski, *Land Use Office Coordinator*
David McCollum, *Inland Wetlands Inspector, Recording Secretary*

Chairman Muttitt introduced the members of the Commission and members of Land Use Office Staff. He read the Inland Wetlands Commission Mission Statement. He asked Ms. Suszynski and Mr. Schatzlein if there were any changes to the Commission Meeting Agenda. Mr. Schatzlein read aloud the changes to the Agenda, which were unanimously accepted.

(C) Inland Wetland Commission Meeting Minutes

- April 27, 2016 Meeting Minutes

Motion to approve the April 27th, 2016 Meeting Minutes as drafted made by Jason Grady; 2nd by Meghan Hayden.

Vote: 4-0-2 in favor, motion passed (Chairman Muttitt & Commissioner Oliva abstained)

(D) General Public Participation

Chairman Muttitt polled those publicly attending for Public Participation, of which there was none.

II. Application Hearing Determinations:

- **IWC-2016-11** 500 Pepper Street – change to detention systems, and building addition of a previously approved project, *Carrubba*

Mr. Schatzlein stated that the Application before the Commission was on a site that had previously been granted an Application Approval by the Commission. He added that the Review of Approval process had been previously completed, and that Land Use Office Staff were anticipating a Pre-Construction Meeting, but the Applicants presented an alternate site plan for development compared to the plan that had been approved. Mr. Schatzlein commented that the proposed building layout had changed, though it still involves the proposed development of a commercial building with on-site water detention. He stated that the overall project site was 7.16 Acres, with 2.57 Acres of Regulated Wetlands Areas and 2.03 Acres of Regulated Upland Review Area. The Applicant indicated that there would be no specific alterations to Regulated Wetlands Areas, and added that proposed development and activities would come in close proximity to the delineated Regulated Wetland Areas, so the direct impact to Wetlands would be debatable. The Applicant did propose activity disturbance within 1.31 Acres of Regulated Upland Review Area. Mr. Schatzlein commented that the Applicant included two alternatives for consideration, one of which had been previously presented to the Commission.

The Commission and Mr. Schatzlein discussed the following matters relative to the Application Hearing Determination:

- the type of Application Hearing that had been determined by the Commission for the previous site development application;
- the requirement for alternative development proposals to be included in an Application if a direct impact to Regulated Wetlands Areas is proposed;
- the inclusion of a proposed Planting Plan;

Motion to hold a Regular Hearing, based on the previous Application that had been approved with a Public Hearing, and the reduction of the square footage of the proposed commercial building, made by Lois Spence; 2nd by Jason Grady

Vote: 6-0-0 in favor; motion passed

III. Subdivision Report/Recommendation to the Planning & Zoning Commission:

- **IWC-2016-06** 716 Wheeler Road – Subdivision of a residential lot for proposed construction of a new single family dwelling
(Regular Hearing reconvened from 03/23/16; Decision Deadline 04/29/16)

Mr. Schatzlein stated that this item would be incorporated into the discussions for the Regular Hearing Application submitted for this property.

IV. Regulated Activities:

(A) Regular Hearings:

- **IWC-2016-06** 716 Wheeler Road – Subdivision of a residential lot for proposed construction of a new single family dwelling
(Regular Hearing continued from 03/23/16; Decision Deadline 04/29/16)

Gary Howden, property owner and resident of 716 Wheeler Road, introduced himself to the Commission as a speaker on behalf of the Application. Mr. Schatzlein reviewed the information that had been previously presented to the Commission and provided additional comment, which included the following:

- the hearing remaining open due to a question to the Applicant from Mr. Schatzlein regarding roadway right-of-way conveyance;
- a requirement of the Planning and Zoning Regulations to convey a certain amount of land to achieve certain dimensions for property frontage, and the uniqueness of the proposed property to be subdivided;
- the subsequent hearing of the Applicant before the Planning and Zoning Commission to address the deficiency of land area required for the right-of-way conveyance;
- the determination by Land Use Office Staff that the Commission could proceed to provide a subdivision referral to the Planning and Zoning Commission;

Mr. Howden discussed the following items with Mr. Schatzlein, Ms. Suszynski, and the Commission:

- discussion at a previous meeting regarding the relocation of an existing shed;
- the appropriateness of the Planning and Zoning Commission to handle the remaining issues regarding the proposed subdivision;

Mr. Schatzlein stated that the site stabilization and restoration bond recommendation was \$2,500, which was the minimum amount that could be used for bond recommendations.

Chairman Muttitt asked Ms. Suszynski if there were any new Exhibits, to which she replied that there were none. Mr. Howden stated that he was satisfied with the information that had been provided to the Commission.

Polling the Commission hearing no objections, Chairman Muttitt closed the Regular Hearing.

(B) Public Hearings:

- **IWC-2016-01** 67/69 Turkey Roost Road, 67 Karen Drive, & 56 Lorraine Drive – Remediation of previously disturbed Regulated Area
(Continued from 03/23/16 Meeting; 35-Day Extension Granted, Hearing continued until 05/11/16)

David Bjorklund, a licensed Professional Engineer in the State of Connecticut and President of Spath-Bjorklund & Associates, Inc. in Monroe, Connecticut, introduced himself to the Commission as a speaker on behalf of the Applicant. He added that James Cowen, a Registered Soil Scientist and Professional Wetlands Scientist with Environmental Planning Services of North Stonington, Connecticut, would also speak to the Commission on behalf of the Application. Mr. Bjorklund and Mr. Cowen provided an overview of the presentation, which included the following:

- violations for activities within Regulated Upland Review Areas that were issued in 2013;
- the location and description of previous violation activities on each property;
- a Subdivision that had yet to be developed;
- the timeframes for the disturbances that occurred on the property;
- an access driveway from Lorraine Drive that had been used to access sand and gravel and accommodate a small gravel mine;
- disturbances that had occurred over the properties since the adoption of the Inland Wetlands Regulations in 1988, including the improvement and widening of an access road with processed and ground-up asphalt;
- the distribution of displaced material to areas off and on the properties in Violation;
- the creation of a pond abutting the properties approximately in the 1950's;
- conditions of the properties as identified in historical aerial photography;
- the re-vegetation of some the area that had been previously disturbed;

- the Wetlands Area flagging and location by a topographical survey conducted by Environmental Planning Services;
- the similarity between the demarcation of the toe of slope and the Wetlands Area delineation, which could be an indication that Wetlands Areas had been previously filled;
- the recommendation by Mr. Schatzlein to conduct test hole borings on the properties, which indicated fill encroachment into Wetlands Areas;
- the proposal to remove and re-grade materials that had been filled in Wetlands Areas under the supervision of a Soils Scientist;
- the proposal to plant both Wetlands and Upland Seed Mixes over re-graded areas as appropriate;
- the proposal to grade other disturbed slopes with loam, seed mix, and mulch as appropriate;
- the proposal to prevent and block access to the disturbed site with boulders after the remediation work was completed;
- the proposal to install buffer planting and remove invasive species along the edge of the pond;
- the delineation of the Wetlands Areas and provision of the proposed Planting Plan created by Michael Klein, of Environmental Planning Services;
- an inventory of existing plant and invasive species on the disturbed areas of the site;
- the proposed treatment methods to remove unwanted invasive species;
- the proposed protection of existing native species;
- proposal review comments provided to the Applicants from Mr. Schatzlein;
- the level of survey accuracy used to create the proposed site plans, and the site plans' source data;

Mr. Bjorklund and Mr. Cowen discussed the following items with Mr. Schatzlein and the Commission:

- submission of boring hole data to the Monroe Land Use Office;
- including additional plantings to help establish a buffer around the affected Wetlands Areas;
- areas on the properties that were formerly and currently in a stable and well-vegetated condition;
- adding tublings of rooted trees and shrubs to fill in the affected area, and their inclusion to the proposed planting plan;
- providing field monitoring reports for three planting seasons instead of two, due to the number of invasive species plants;
- concerns regarding the establishment of invasive species over the proposed re-graded areas;
- revising the proposed plan to indicate the proposed limits of restoration and the limits of the Wetlands Areas in entirety;
- the proposed slope to be used over the re-graded areas;
- sizing of the proposed boulders to be placed across the driveway to prevent future access to the site; and relocating onto Town property to further discourage future access to the remediated areas;
- including Inland Wetlands Regulated Area Marker locations on the proposed plans;
- the appropriateness of the level of survey accuracy;
- replacing the asphalt milling roadway surface with seed, soil, and hay to further discourage any future access;
- the timeframe relative to the extension requirements, if needed, for the Public Hearing;
- the increase in potential flood water capacity to the site after the completion of the proposed work;
- the direction of flow over the properties;

Mr. Schatzlein read the Exhibits 1 – 8.

Chairman Muttitt opened the Hearing for Public Comment.

Jerry Mocarski, of 44 Lorraine Drive, introduced himself to speak in a general nature regarding the proposed Application. He was concerned that the Application was for future development, and was informed that the Application was submitted to address proposed remediation activities only. He was concerned that his property would be adversely affected by the proposed removal of fill material over Wetlands Areas, and added that the

surrounding areas drained towards these properties via groundwater and surface water runoff. He was unsure if his high water table would be adversely affected. He commented that landscapers had dumped leftover materials including mulch, and that contractors had previously accessed the site to excavate gravel and sand materials. He was opposed to the placement of boulders to prevent access to the property because they would not be visually appealing, and suggested that a more visually-friendly alternative be used. He was unsure of how the notification process worked, commenting that many of the property owners in his neighborhood were unclear as to what the Application entailed.

Chairman Muttitt opened the Hearing for additional Public Comment, of which there was none.

Chairman Muttitt asked Ms. Suszynski if the Notices of Public Hearing had been distributed to the appropriate parties, which she affirmed.

Chairman Muttitt stated that the Public Hearing would be continued at the May 25th Commission Meeting.

- **IWC-2016-09** 234 & 246 Main Street, Excavation of fill material in a Regulated Area and Removal to Non-Regulated Area, *Sippin*
(Opening of Public Hearing on 04/27/2016; Decision Deadline 06/01/16)

David Bjorklund, a licensed Professional Engineer in the State of Connecticut and President of Spath-Bjorklund & Associates, Inc. in Monroe, Connecticut, introduced himself to the Commission as a speaker on behalf of the Application. He added that he was continuing the presentation following the information that was provided by William Carbone at the previous Commission Meeting. Mr. Bjorklund provided an overview of the presentation, which included the following:

- the items addressed by Mr. Carbone at the previous Commission Meeting;
- the site walk conducted by the Commission Members following the previous Commission Meeting;
- modified site plans reflecting comments from both the Commission and Mr. Schatzlein;
- a redesign of the reserve area and the septic system using higher capacity below-ground structures to be beyond the limits of the Regulated Upland Review Area on the property;
- intent to present a modified proposal to the non-filed Conservation Easement before the Planning and Zoning Commission;
- discussions with Mr. Schatzlein regarding the access road for the septic system;
- the addition of 42 (forty-two) proposed tree saplings within the Regulated Areas on 246 Main Street;
- concerns from an abutting property owner with the visibility of the commercial building structures;
- discussions with Richard Jackson, Sanitarian with the Monroe Health Department, about relocating the septic system onto 234 Main Street;
- intent to propose a lot line revision to remediate issues regarding the non-compliant location of septic systems;
- the existing high level of water and minimal depth to bedrock;

Mr. Bjorklund discussed the following items with Mr. Schatzlein and the Commission:

- the previous approval of a Conservation Easement by the Planning and Zoning Commission; and the absence of execution to be filed on the Monroe Land Records;
- language regarding the Conservation Easement and the prohibition of developed structures within its limits, and the intent to modify the original Conservation Easement to allow the installation of a septic system, under specific conditions;
- the limited jurisdiction of the Conservation Easement by the Inland Wetlands Commission, and the need for the Conservation Easement to be reviewed by the original approving body;
- the potential to use other engineering systems to address septic system requirements;
- disagreement regarding the quantity and height of fill;

- a request for a contour map from 1984 to be superimposed over the existing conditions to review the extent of disturbance since the adoption of the Inland Wetlands Regulations;
- a request from Mr. Schatzlein for additional contouring information;
- observations from the Commission of trees that had been covered at their base with fill materials;
- a request for a gentler slope to be proposed for re-grading;
- the maximum slope allowed per the Planning and Zoning Regulations, and the need to minimize erosion and use plantings for soil retention;
- difficulty to stabilize steep slopes, and the stability of the existing slopes on the site;
- the presence of invasive species on the site, and the absence of well-established vegetation as observed by the Commission during their site walk;
- the presence of other fill materials including rock, brick, and concrete, and whether or not they would be removed;
- clarification as to whether the boundaries for the Conservation Easement would be changed;

Ms. Suszynski stated that there were no additional Exhibits.

Chairman Muttitt opened the Hearing to Public Comment, of which there was none. He stated that the Hearing would be continued at the next Commission Meeting.

V. Violations:

- **IWV-2016-05** 100 Hammertown Road

Gary Wolff, of 23 Wilton Avenue in Norwalk, Connecticut, introduced himself as a representative on behalf of the property owners, Robert and Jennie Dutch, to the Commission. He stated that he would also act as a representative on behalf of Madeline Marshall, abutting property owner of 106 Hammertown Road, if necessary. He gave a brief overview of existing conditions on the site, and commented that he was looking for direction from the Commission to resolve Wetlands issues.

Mr. Schatzlein and Mr. McCollum gave an overview of the establishment of the Violation, the Administrative Review Process, and the informal hearing process with Mr. Wolff. Mr. Schatzlein, Mr. McCollum, and the Commission discussed the following items with Mr. Wolff:

- the documents reviewed during the Administrative Review Process;
- the "Potential Violations Map", a Violation Background, and photography of the site taken during a site inspection;
- collection of fallen limbs, and the intent to burn them in close proximity to a watercourse;
- use of a gravel area to prevent issues resulting from erosion;
- deposition of sand and soil materials over the gravel surface;
- the removal of trees that received storm damage, and for safety concerns;
- the deposition of yard wastes along the watercourse;
- the removal of an old footbridge and plastic items from the watercourse;
- the ultimate intent to perform a lot line revision to accommodate a Building and Zoning setback for an existing shed structure;
- future activities to occur within Regulated Areas, including minimizing runoff and cutting additional trees;
- the absence of statutory requirements for referral for lot-line revisions by the Inland Wetlands Commission;
- reasoning for removing the understory within a Regulated Upland Review Area;
- the contents of the temporary storage container;
- and the absence of a direct disturbance to a Regulated Wetlands Area;
- intent for the property owner to keep the existing shed in its present location;
- the subsequent discussion following the hearing between Mr. Schatzlein and the Commission to determine the resolution process.

VI. Other: (NONE)

VII. Deliberations on Completed Hearings:

Subdivision Referral:

- **IWC-2016-06** 716 Wheeler Road – Subdivision of a residential lot for proposed construction of a new single family dwelling
(Regular Hearing continued from 03/23/16; Decision Deadline 04/29/16)

Motion to send a positive referral to Planning & Zoning, Made by Jason Grady; 2nd by Peter Oliva.

Discussion: None

Vote: 5 – 0 – 1 in favor, Mike Muttitt abstained; motion passed

Regular Hearing:

- **IWC-2016-06** 716 Wheeler Road – Subdivision of a residential lot for proposed construction of a new single family dwelling
(Regular Hearing continued from 03/23/16; Decision Deadline 04/29/16)

Motion to Approve the Application with Conditions, made by Jason Grady; 2nd by Lois Spence.

Discussion: Mr. Schatzlein and the Commission reviewed the following items:
- remove the shed as described in the proposed plan
- the site stabilization bond and restoration bond value of \$2,500

Vote: 5 – 0 – 1 in favor, Mike Muttitt abstained; motion passed

Reason: Ms. Spence stated that the Applicant provided substantial evidence that the proposal represents no adverse impacts to wetlands and/or watercourses, and the required Application data had been submitted and subsequent hearing and testimony evidence had been provided to adequately document and verify the Application proposal's compliance with the requirements as set forth by the Town of Monroe Inland Wetlands and Watercourses Regulations and the Inland Wetlands and Watercourses Act pursuant to CGS §22a-36 to 22a-45, as amended.

VIII. Bond Releases, Reductions, Reports: (None)

IX. Time Extensions:

X. IWC Agent Activities/Reports:

- General Permits: (None)

- Agent Approvals: (None)

- Permitted Uses As of Right:

1. Department of Public Works – road repair, replacement and/or general maintenance (I/W Regulations Section 4.2 (C)) – (None), *Permit Expires 05/08/2018*

XI. Violations:

- Violation Inspection Report: (None)
- Discussion on completed Violation Hearings from this Agenda:

IWV-2016-05 100 Hammertown Road

The Commission requested that an Application be submitted for review within 90 (ninety) days following the informal hearing at the Commission Meeting.

- Administrative Review/Enforcement Issues:

The Commission discussed reviewing a spreadsheet of outstanding Violation items with Mr. McCollum and Mr. Schatzlein.

XII. General Discussion/Other:

DEEP Pesticides Application – 40 Northwood Road (None)

IWC-2015-02 288 Monroe Turnpike

Mr. Schatzlein reviewed the location for a 1000 gallon above-ground tank as part of the site development, which the Commission granted.

IWC-2014-07 50 Cambridge Drive

Mr. Schatzlein reviewed a glycol tank that was proposed to be installed by the Applicant. The Commission deferred a decision to be made for the next Commission Meeting.

IWV-2015-11 78 Stanley Road

Mr. Schatzlein reviewed a request from the Commission for an Application to be submitted from the property owner to address Violation issues. He added that the requested submission timeframe had passed without a submission. The Commission request that a letter be issued to the property owner requesting an Application be submitted within 30 (thirty) days, or be issued a Citation.

Mr. Schatzlein discussed the proposal to include a draft approval process during the Deliberation Session portion of Commission Meetings.

XIII. Correspondence: (None)

XIV. Adjournment:

A motion to adjourn was made by Jason Grady; seconded by Lois Spence; passed 6-0-0. The Meeting was adjourned 9:42 p.m.

NOTE:

- A recorded copy of this meeting is on file in the Inland Wetlands Office, Monroe Town Hall.
- These minutes are contingent upon the approval of the Inland Wetlands Commission.
- These minutes provide a general overview of topics discussed and are not meant to be a transcript of this meeting.
- All meeting minutes are posted on the Town Website: www.monroect.org. Select Town Hall Departments/Inland Wetland. Choose meeting minutes from the left column.

Date of Approval: _____

PENDING: (These items are pending but are not on this agenda).

- **IWC-2016-08** 545 Pepper Street, Restoration of a previously disturbed area, removal of fill and replanting.
(Per Applicant – Not ready to be heard – supplemental information not available; Decision Deadline 05/27/16)
- **IWC-2016-10** 15 Owl Hill Road & 144 Lynn Drive, Remediation of a previously disturbed Conservation Easement area, planting within an Upland Review Area and within a Conservation Easement area to include mulched bio-filters and Conservation Easement Markers, *Carrubba*
(Public Hearing tentatively scheduled for 05/25/16)



**TOWN OF MONROE
INLAND WETLANDS COMMISSION**

7 Fan Hill Road
Monroe, CT 06468

Inland Wetlands office (203) 452-2809
Fax: (203) 261-6197

CERTIFIED MAIL RETURN RECEIPT REQUESTED 7011 0110 0002 2153 0042 AND REGULAR MAIL

NOTICE/CERTIFICATE OF DECISION

May 16, 2016

Mr. Gary Howden
716 Wheeler Road
Monroe, CT 06468

Re: Application No. IWC-2016-06, (File No.990) Residential Site Development
Application Type: Regular Hearing
Location of site: 716 Wheeler Road

WHEREAS, the Monroe Inland Wetlands Commission (hereinafter referred to as “Commission”) has considered an application by Gary Howden, owner and John Mack, P.E., representative for the owner/applicant for the re-subdivision of a residential lot into two lots (one new building Lot, and one Lot containing the existing house and barn), and the removal of an existing shed from an Inland Wetlands Upland Review Area.

WHEREAS, the Commission received the following initial Application Submissions:

- Town of Monroe Inland Wetlands Application received February 23, 2016.
- Plans:
 - E/1, Existing Conditions Plan..., 716 Wheeler Road and Hammertown Road....prepared for Gary Howden, by Stuart Somers Co., LLC, dated 12-24-15.
 - S/1, Site Plan, Resubdivision... 716 Wheeler Road and Hammertown Road....prepared for Gary Howden, by Stuart Somers Co., LLC, dated 2-5-16.
 - W/1, Subsurface Sewage Disposal System, Lot 2, 716 Wheeler Road and Hammertown Road....prepared for Gary Howden, by Stuart Somers Co., LLC, dated 2-5-16.
- List of Abutters with 100’, received February 23, 2016.
- Exhibits one (1) through ten (10) as referenced and entered into the record during the regular hearing.

WHEREAS, upon considering the above listed submission data and respective testimony at a Regular Hearing, which opened and adjourned on March 23, 2016 and reconvened and adjourned on April 13, 2016 and reconvened and adjourned on April 27, 2016; and upon deliberating on May 11, 2016, the Commission, by virtue of their decision to move forward with a motion, made the determination (finding) that the submitted application materials are consistent with the requirements as set forth by the current Town of Monroe Inland Wetlands and Watercourses Regulations and the Inland Wetlands and Watercourses Act, pursuant to sections 22a-36 to 22a-45 inclusive of the Connecticut General Statutes as amended;

NOW THEREFORE BE IT RESOLVED, based on the above, the Commission, upon motion by Jason Grady and seconded by Lois Spence, voted five (5) in favor, zero (0) in opposition and one (1) abstention to **Approve** the above referenced application and the following:

1. Revised Full Scale Plans (4 sheets) entitled:

- E/1, Existing Conditions Plan..., 716 Wheeler Road and Hammertown Road...prepared for Gary Howden, by Stuart Somers Co., LLC, dated 12-24-15.
- S/1, Site Plan, Resubdivision... 716 Wheeler Road and Hammertown Road...prepared for Gary Howden, by Stuart Somers Co., LLC, dated 2-5-16, revised to 3-22-16.
- W/1, Subsurface Sewage Disposal System, Lot 2, 716 Wheeler Road and Hammertown Road...prepared for Gary Howden, by Stuart Somers Co., LLC, dated 2-5-16.
- 1/1, Resubdivision Plan...716 Wheeler Road and Hammertown Road Monroe, Connecticut, Prepared for Gary Howden, by Stuart Somers Co., LLC, dated 12-24-15, revised to 3-22-16

2. Including Exhibits one (1) through ten (10).

<i>Vote:</i>	Michael Muttitt	Abstained	<i>For the Commission:</i>
	Jason Grady	Aye	
	Lois Spence	Aye	
	Meghan Hayden	Aye	
	Peter Oliva	Aye	



Michael Muttitt, Chair

FURTHERMORE, the Commission required that this approval be subject to the following:

(A) Conditions to be addressed within 270 days of the Date of Approval (02-05-17) or this approval/permit becomes null and void (subject to the ** "Extension of Time" provision below):

1. Filing of Final Inland Wetlands Commission Approved Plans:
The applicant shall submit five (5) complete sets of certified plans (full size 24" x 36") for the authorized endorsement of same by the Commission Chair.
2. After completion of conditions listed under (A 1) above, the original Notice of Decision must be filed on the land records in the Town Clerk's office. The applicant will obtain the said original Notice from the Inland Wetlands Department. A copy of said recording, showing all marks of recording, shall be provided to the Inland Wetlands Department by the applicant.

** Extension of Time: The Applicant may request an extension of time. The Commission must receive a written time extension request (showing good cause as to why an extension should be granted) prior to the expiration of the initial 270 days. Upon receipt of said timely request, the Commission may grant a limited time extension if the Commission determines, in its sole discretion, that granting the request would be consistent with the Act and Municipal Ordinances.

(B) Conditions to be addressed prior to construction (issuance of an IWC PERMIT – said permit will be in the form of a permit document, and/or final stamped/signed plans):

1. Address all above listed conditions.
2. Verification of easements must be provided, if applicable
3. A pre-construction meeting shall take place with the Wetland Agent prior to any disturbance or alteration to the site. This includes any tree or brush removal. Pre-construction meetings shall not be held until the final plans (as detailed above) have been signed by the Town and building permit has been issued (where applicable).

4. A \$2500.00 bond must be posted along with the execution and signing of a respective Bond Agreement.
5. Issuance of Building Permit, if applicable.

(C) Conditions to be addressed prior to the release of bond:

1. Address all above listed conditions.
2. Submission of a final As-Built drawing (include ROW survey, monumentation & individual lot corner pin markers, if applicable)
3. Completion of all work, stabilization of all disturbed areas, removal of all siltation and erosion control measures, and restoration of all pre-application/site investigation areas within the individual lots.
4. Submission, acceptance, and filing of any/all easements, if applicable.
5. Verification of all required Easements, Deeds, Conveyances, and/or Agreements must be provided.

(D) Standard Requirements:

1. Regulated activities herein shall be implemented by the permittee in accordance with the timing, location, duration, and intent proposed and approved by the Commission.
2. Sedimentation and erosion control measures must be installed prior to any commencement of site activity. Said measures must be regularly inspected prior to and subsequent to major storm events and maintained during construction and properly removed with all affected land restored prior to requesting final inspection. An authorized representative, responsible for all sedimentation and erosion control measures, must be registered with the Town Inland Wetlands Office, Public Works Office and Police Department in addition to being listed on the drawings (include a name, address, business telephone number, off-hours telephone number and other pertinent contact information). All sedimentation and erosion control measures must be provided and installed in accordance with the Connecticut State Department of Energy and Environmental Protection (DEEP) Guidelines for Soil Erosion and Sediment Control dated 2002, or as updated. In constructing the authorized activities, the permittee shall implement such management practices consistent with the terms and conditions of the permit as needed to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.
3. If a bond is not required as a specific condition of approval, the posting of a cash (bank check) or letter of credit may be required at any time during construction by the Inland Wetlands Commission, Inland Wetlands Agent and/or the Town Engineer for erosion controls or any approval requirements and/or Wetland mitigation measures, in an amount to be recommended by the Town Engineer and accepted by the Commission. Once work is complete, a request for bond release must be provided in writing.
4. In the event an appeal is taken from this decision, the applicant shall provide the Commission with three (3) sets of all plans, reports and documents that were submitted for the application within thirty (30) days.
5. Heating oil tanks shall not be buried anywhere on the property.
6. Plant species listed on the most current DEEP publication entitled "Non-native Invasive and Potentially Invasive Vascular Plants in Connecticut" shall not be introduced on the site.
7. The Applicant shall notify the Wetland Agent at least 48 hours prior to starting any work (including, but not limited to, grading or stumping) and upon completion of work.
8. The applicant shall submit any changes of the approved plans with a written request for permit amendment(s). The Commission and/or its Agent shall determine if said changes are acceptable under the permit or if a new application is required.
9. All work and all regulated activities conducted pursuant to the authorization shall be consistent with the terms, intent, and conditions of this permit. All structures, equipment, material, excavation, fill, clearing, encroachments, and activities not specifically identified and authorized herein shall constitute a violation of the permit. This may result in the modification, suspension, or revocation of the permit.

(E) Timing, Expiration and/or Transfer of Permit:

1. In accordance with Connecticut General Statutes, Section 8-3 (i), and the Town of Monroe Inland Wetlands and Watercourses Regulations, Section 11.7, any and all work associated with this approval must be completed within five (5) years of the date of an issued permit (note that a permit is issued only upon addressing all the conditions listed under “(A) Conditions to be addressed within 270 days of the Date of Approval”). However, the issuance of a permit does not allow for work to commence. Work shall only commence upon satisfactorily addressing all conditions listed under “(A) Conditions to be addressed within 270 days of the Date of Approval” and “(B) Conditions to be addressed prior to construction”. Up to one additional five (5) year extension may be requested in writing prior to expiration. **However, if work doesn’t commence until sometime within the five (5) year extension period, the applicant shall first submit a schedule detailing needed work to verify that there will be enough remaining time to complete all requirements prior to the expiration date.**
2. This permit is not transferable unless: the new owner provides the Commission with a signed acknowledgement that he or she understands and accepts the conditions of approval, a new replacement bond is established by the new owner, or an agreement between the original and new owner is provided, verifying that the original owner will still be responsible for meeting the conditions of approval.

THIS APPROVAL IS HEREBY ISSUED WITH THE FOLLOWING STATEMENTS, CLARIFICATION OF STANDARDS, CONDITIONS, AND PROCEDURAL REQUIREMENTS:

THIS APPROVAL IS NOT AN AUTHORIZATION TO START CONSTRUCTION.

If there are any questions relative to the conditions of approval, please call the Town prior to submitting the revised plans. This will avoid costly and time consuming revisions and reviews, therefore, expediting the process for you.

This Commission has relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.

This approval is subject to compliance with any and all Inland Wetlands Regulations of the Town of Monroe in addition to all other applicable Local, State and Federal requirements.

This approval does not derogate any present or future rights or powers of the Inland Wetlands Commission or the Town of Monroe, and conveys no rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state, and municipal laws or regulations pertinent to the subject land or activity.

If the activity authorized by this approval also involves an activity which requires zoning or subdivision approval, special permit, variance or special exception under sections 8.3(g), or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit may begin until such approvals are obtained.

Violations of this approval (permit to be issued) may result in termination of associated tax abatements if applicable, as per Town Code, Section 470-30.

Variations from the approved plans must be addressed/discussed with the appropriate Town staff during construction with the resolution and verification of same documented in writing.

This decision is consistent with the purposes of the Monroe Inland Wetlands and Watercourses Regulations which are designed to protect the citizens of the town of Monroe by providing a balance between the need for growth, development and enjoyment of the natural resources of Monroe with the need to protect its environment and ecological stability.

This approval letter may also serve as the Inland Wetlands Commissions Report to the Planning and Zoning Commission (where applicable).

-End-

cc: John Mack, PE
Stuart Somers Co.
1211 Main Street South
Southbury, CT 06488