



TOWN OF MONROE INLAND WETLANDS COMMISSION

7 Fan Hill Road
Monroe, CT 06468

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

Draft Minutes of September 14, 2016
Inland Wetland Commission
Town Council Chambers
Regular Meeting

Call to Order: 7:00 pm

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

Pledge of Allegiance

Roll Call

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

Absent: None

Present: Scott Schatzlein, P.E., Land Use Director, Town Engineer, Inland Wetlands Agent
Donna Suszynski, Land Use Office Coordinator
Rebecca Wood, Recording Secretary-in-Training

Inland Wetland Commission Meeting Minutes:

August 24th, 2016 Meeting Minutes

Motion to approve the August 24th, 2016 Meeting Minutes by Lois Spence

Second: Jason Grady

Abstain: Meghan Hayden, Peter Oliva, and Jim Stewart

Corrections/Changes:

Minor grammatical changes

Vote: 4 – 0 – 3 in favor, motion passed

Changes to Published Inland Wetland Commission Meeting Agenda:

IWC-2016-05, File #989 Item VI. - Move to Item II.

General Public Participation: None

Other (Item VI):

IWC-2016-05, File #989 Masuk High School, RT 111; clarification of work done and Planting mitigation plan.

Scott Schatzlein and Jack Zamarly, Operations and Technology, Monroe Board of Education, provided the Commission with a summary of the encroachment and clearing that had occurred at the Masuk High School field area by the contractor without permission. Mr. Zamarly apologized for this action and presented the planting plan to remediate the area prior to the completion of the approved work being done to the field.

Chairman Muttitt and Commissioner Spence discussed the need for proper regulation of plant choice and quantity as well as ongoing post-planting monitoring to insure successful plant survival.

Motion: By Peter Oliva to accept the mitigation plan and revised planting plan for IWC-2016-05 as proposed with two-year monitoring of plantings

Second: Meghan Hayden

Abstain: None

Vote: 4 – 0 – 0 in favor, no abstentions; motion passed

II Application Hearing Determinations: None

III Subdivision Report/Recommendation to the Planning & Zoning Commission: None

IV Regulated Activities:

(A) Regular Hearings: None

(B) Public Hearings:

IWC-2016-12 146 Cutlers Farm Road and 267 & 287 Purdy Hill Road, Proposed 15 Unit Age Restricted Housing, Beaver Brook, LLC

Postponed to the September 28, 2016 Meeting to allow for Zone Change application determination by Planning & Zoning Commission (Extension granted).

IWC-2016-13 4 High Ridge Drive, proposed four bedroom home with associated site improvements (Wysocki).

Mr. Ardy Lou, Jr., Fuller Engineering gave a verbal description of the site, the abutting properties, and the wetland locations; Soil Scientist, Aleksandra Mock presenting their planting plan to include a planting buffer along the wetland edge, the removal of a stone wall, planting shrubbery, and placing wetland markers and flags. The driveway entrance access is very steep and will require some grading, the septic system is in the front of the property with storm detention drainage in the back of the property.

Ms. Mock stated that several different types of invasive species were found and they wished to remove them from the roots, including grapevines and virginia creeper, located within the northern portion of the site, and everything outside of the silt fence will be left undisturbed. Commissioner Spence indicated that she would like to see the shrubs on the other side of the wall, and perhaps building the house forward on the site. Commissioner Stewart indicated that when they returned to continue this meeting, that a plan for the buildings in the back yard be submitted for the Commission to see.

Land Use Coordinator Donna Suszynski read the exhibits for the above application.

The Chairman opened the meeting for Public Comment in favor of the application, of which there was none. The Chairman opened the meeting for Comments in opposition to the application:

David Tiago, 11 Winslow Terrace, an abutter, voiced his concern over the storm water management and its encroachment onto his property. His property currently has four active storm drains, and the 4 High Ridge Drive Property is at a higher elevation than his lot and is consistently wet; his concern is that with this increased flow, the storm drains will back up and result in wetlands on his property. In addition, the drainage system that the applicant is planning to install will be directed towards his septic leeching field.

Chris DeLorenzo, 7 Winslow Terrace, shared his concern for his own property being affected as did the previous commenter.

This hearing was continued to the September 28, 2016 meeting.

IWC-2016-14 754 Main Street, Interior renovations, construction of Truck Well, Outdoor Living showcase, area, stormwater quality measures and pavement repair; Stone Farm, LLC

Mr. Doug Reich, Landscape Architect, Solli Engineering, 501 Main Street, introduced also present, Mr. Casey Birch, Solli Engineering, and Mr. Steve Singlak, Owner and Applicant of Stone Farm, LLC.

Mr. Reich summarized the changes requested at the previous Commission meeting:

Regarding the tree line in the back area in relationship to the wetland area: there are two trees noted and they are not in the wetland area but on the boundary of the wetland area that will not be impacted by storm drainage;

Regarding wetland markers, they have now been placed at regular intervals at all wetland boundaries;

Regarding the excess amount of pavement: Pavement areas will be removed from parking areas with lawn replacement resulting in less impervious surface as well as an area next to the storage area and wetlands to be demarcated by boulders;

Regarding the storage trailer in the upland review area: that will be removed;

More boulders will be placed in key areas to dissuade and usage of that location;

Regarding Test Pits: The test pits were completed with no adverse water table impact.

Chairman Muttitt inquired if the applicant would be amenable to removing the light poles themselves from the meadow areas (leaving the electrical in ground but removing the posts) within the five year approval period with a bond attachment to completion. Mr. Singlak agreed with the proposal.

Exhibits were read by the Land Use Coordinator.

The application was opened for General Comments to the public; hearing none, the public hearing was closed.

V. Violations:

IWV-2016-12 18 Turkey Roost Road, Informal Hearing

Through Agent Approval and an Administrative Permit, the property owner will remove any remaining debris, place wetland marker postings, and restore the disturbed areas, remediate with topsoil and Conservation Mix, and place boulders to dissuade any further use in regulated areas.

IWV-2016-09 1603 Monroe Turnpike, Informal Hearing

Postponed until October 12, 2016 Commission Meeting

IWV-2016-10 1615 Monroe Turnpike, Informal Hearing

Postponed until October 12, 2016 Commission Meeting

IWV-2016-11 27 Dogwood Road, Informal Hearing

Postponed until the September 28, 2016 Meeting.

Other:

IWC-2016-05, File #989 Masuk High School, RT 111; Clarification of work done and Planting mitigation plan.

Addressed in Item 1(E)

VII. Deliberations on Completed Hearings:

IWC-2016-14 754 Main Street, Interior renovations, construction of Truck Well, Outdoor Living showcase, area, stormwater quality measures and pavement repair; Stone Farm, LLC

Motion: To request the Town Engineer to draft a Letter of Approval by Jason Grady

Second: Lois Spence

Discussion: The Letter of Approval should include: the survey shall include certification; the Plan should include the closing off of regulated property, stormwater control unit detail, \$8,500. bond, the removal of the lighting posts, and two-year monitoring of plantings.

IWC-2016-15 Webb Circle: Installation of cathodic protection system to prevent corrosion of the pipeline; Iroquois Pipeline Operating Company

Motion: By Jason Grady to approve IWC-2016-15 as set forth in the Approval Resolution as drafted

Second: Peter Oliva

Abstain: Jim Stewart

Vote: 6 – 0 – 1 in favor, one abstention; motion passed

VIII. Bond Releases, Reductions, Reports: None

IX. Time Extensions:

I 11-18 114 Main Street, Duane Noll (owner), requesting a 5 year extension of the existing Inland Wetland Approval which will expire on 12/7/2016.

The Commission will seek permission to view the site from the owner and requests that the Owner comes before the Commission.

IWC-2015-19 64 Cambridge Drive (Section 4), New England Materials LLC (owner) requesting an additional 90 days to meeting the Condition of Approval.

Motion: By Jason Grady to grant the approval for IWC-2015-19 90-Day Extension to meet Conditions of Approval

Second: Lois Spence

Abstain: None

Vote: 7 – 0 – 0 in favor, one abstention; motion passed

IWC-2015-16 28 Purdy Hill Road, Baghdady, Requesting extension to complete conditions of approval.

Motion: By Lois to grant a 30 extension for IWC-2015-156 to meet Conditions of Approval

Second: Meghan Hayden

Abstain: None

Vote: 7 – 0 – 0 in favor, one abstention; motion passed

X. IWC Agent Activities/Reports:

(A) General Permits:

IGP-2016-12 25 Little Fox Lane; generator installation

IGP-2016-03 607 Monroe Turnpike; propane tank installation

IGP-2016-04 139 Pepper Street; replacement of deck

(B) Agent Approvals:

Scott Schatzlein reviewed Agent Approvals listed below with the Commission:

IAA-2016-13 43 Osborn Lane; removal of trees & seeding established lawn

IAA-2016-19 26 Doris Drive; retroactive permitting for above ground pool

IAA-2016-17 720 Main Street, remediation of violation

IAA-2016-18 14 Stony Brook Drive, Czarnowski; Covering inground pool & construction of garage.

Permitted Uses As of Right

1. Department of Public Works – road repair, replacement and/or general maintenance (I/W Regulations Section 4.2 ©)

XI. Violation Discussion:

It was determined that “Notice of Violations” would be issued to the property owners for the Violation numbers listed below:

IWV-2016-09

IWV-2016-10

IWV-2016-11

IWV-2016-12

XII. General Discussion/Other:

Commissioner Spence shared the information garnered at the Tree Canopy Presentation with the Commission.

XIII. Correspondence:

Letter regarding Masuk High School Athletic field was addressed earlier in the meeting.

XIV. Adjournment

The Inland Wetland Commission meeting was adjourned at 9:02 p.m.

Respectfully Submitted,

Rebecca Wood, Recording Secretary-In-Training

Very truly yours,

Scott H. Schatzlein, P.E., *Land Use Director, Town Engineer*



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CERTIFIED MAIL RETURN RECEIPT REQUESTED 7015 1730 0001 9993 2412 AND REGULAR MAIL

NOTICE/CERTIFICATE OF DECISION

September 15, 2016

James T. Barnes
Iroquois Pipeline Operating Company
One Corporate Drive, Suite 600
Shelton, CT 0684

Re: Application No. **IWC-2016-15. (File No.1019) Residential Area**
Application Type: **Public Hearing**
Location of site: **Webb Circle**

WHEREAS, the Monroe Inland Wetlands Commission (hereinafter referred to as “Commission”) has considered an application by Iroquois Pipeline Operating Company, James T. Barnes representative; Town of Monroe, owner; for the installation of cathodic protection system on Webb Circle to prevent corrosion of existing pipeline;

WHEREAS, the Commission received the following Application Submissions:

- Town of Monroe Inland Wetlands Application received June 22, 2016.
- Plans:
 - Improvement Location Survey prepared for Iroquois Gas Transmission System..., by PAH, Inc. – Land Surveyors, dated 3-7-16.
 - SK-ENG-D-15-013, Site Plan, Webb Circle...Cathodic Protection , by Iroquois Gas Transmission System..., dated 11-5-15, revised to 6-16-16.
 - SK-ENG-D-16-001, Details, Webb Circle...Cathodic Protection Site Plan, by Iroquois Gas Transmission System..., & H & M Henkels & McCoy, dated 1-13-16 , revised to 5-5-16.
 - SK-ENG-D-16-008, Details, Webb Circle...Cathodic Protection Site Plan, by Iroquois Gas Transmission System..., dated 5-3-16.
- List of Abutters with 100’, received June 22, 2016.
- Exhibits one (1) through nine (9) as referenced and entered into the record during the public hearing.

WHEREAS, upon considering the above listed submission data and respective testimony at a duly noticed Public Hearing, which opened and closed on August 24, 2016,; and upon deliberating and requesting the preparation of a Draft Approval for subsequent review and confirmation by the Commission on September 14, 2016 and upon reconvening deliberations and voting on September 14, 2016 the Commission made the following determination (**FINDINGS**):

- The Commission finds 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;
- The applicant has presented un-contradicted expert evidence that the activities as proposed in this application pose no adverse impact to the regulated areas.

NOW THEREFORE BE IT RESOLVED, based on the above, the Commission, upon motion by Jason Grady and seconded by Peter Oliva, voted six (6) in favor and zero (0) in opposition to **Approve** the above referenced application and the following submitted layout/plans as included in Exhibits Number nine (9):

1. Revised Full Scale Plans (5 sheets) entitled:
 - Improvement Location Survey prepared for Iroquois Gas Transmission System..., by PAH, Inc. – Land Surveyors, dated 3-7-16.
 - 1 of 4, SK-ENG-D-15-013, Site Plan, Webb Circle...Cathodic Protection , by Iroquois Gas Transmission System..., dated 11-5-15, revised to 8-12-16.
 - 2 of 4, SK-ENG-D-15-013, Site Plan, Webb Circle...Cathodic Protection , by Iroquois Gas Transmission System..., dated 8-10-16.
 - 3 of 4, SK-ENG-D-16-001, Details, Webb Circle...Cathodic Protection Site Plan, by Iroquois Gas Transmission System..., H & M Henkels & McCoy, dated 1-13-16, revised to 8-2-16.
 - 4 of 4, SK-ENG-D-16-008, Erosion and Sedimentation Control Details, Webb Circle...Cathodic Protection Site Plan, by Iroquois Gas Transmission System..., dated 5-3-16, revised to 8-12-16.
2. Including Exhibits one (1) through nine (9).

Vote:

Michael Muttitt	xxx	<i>For the Commission:</i>
Jason Grady	xxx	
Lois Spence	xxx	
Meghan Hayden	xxx	
Peter Oliva	xxx	
Ross Mastorocco	xxx	



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 (9-14-16 + 270 = 6/11/17) or this approval/permit becomes null and void (subject to the ** “Extension of Time” provision below):

1. The applicant shall submit one (1) complete set of final Plans (full size 24” x 36”) for review by the Town Engineer/Inland Wetlands Agent which must include the following revisions.
 - a. **Inclusion of live certification on all plans (original signature and wet stamped and/or embossed seal).**
 - b. **A notation indicating that excavated trench material shall be utilized for pipe bedding and backfill as indicated during the hearing.**
2. Filing of Final Inland Wetlands Commission Approved Plans:

Upon satisfactory revision of the final Plans as required above, 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.

3. After completion of conditions listed under (A 1-2) 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 Highway Modification Permit shall be procured from the Town Public Works Department.
4. 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 has been issued (where applicable).
5. An \$8000.00 bond must be posted along with the execution and signing of a respective Bond Agreement.

(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.
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.

(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: File