



INLAND WETLANDS COMMISSION

Clifford J. Hurgin Municipal Center
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Bethel, CT 06801
(203)794-8578

INLAND WETLANDS COMMISSION

SPECIAL MEETING MINUTES

May 4, 2020

7:00 p.m.

Meeting held Remotely via Zoom Technology

RECEIVED
2020 MAY -6 P 12:54
TOWN CLERK

COMMISSION MEMBERS PRESENT: K. Stevens, L. David, P. Samardak, G. Johnston, P. Sell, Perrefort and D. McCollum, *Inland Wetlands Agent*

ABSENT: L. Ferguson

ALSO IN ATTENDANCE: Charles Andres, *Land Use Counsel, Halloran & Sage*, and Beth Cavagna, *Planning & Zoning Director*

MEETING TO ORDER: Chairman Stevens called the meeting to order at 7:04 p.m. and the Commissioners and Staff introduced themselves.

PUBLIC HEARINGS:

IWC-2019-11 Good Hill Road #9 – Construct a multi-family unit development consisting of 11 units with driveway parking area, drainage, and stormwater management systems within Regulated Upland Review Area (*Accepted 11/25/2019, Public Hearing Opening 01/27/2020, Meeting Cancelled 03/23/2020, Meeting Postponed 04/27/2020, Continued on 05/04/2020*)

K. Stevens re-opened the hearing. Attorney Neil Marcus, Cohen & Wolf, P.C., representing the Applicant, reviewed the proposed project and stated seeking resolution of questions regarding the water shed. Wright-Pierce was asked to address and he has not seen comments from them, at this time.

Michael Mazzucco, P.E., spoke on behalf of the Applicant, and stated Wright-Pierce's comments, dated May 1, 2020, were received today. Wright-Pierce acknowledged Mr. Mazzucco's response in regards to the accuracy of the Danzer report. He reviewed Wright-Pierce's comments with the Commission.

M. Mazzucco read Cynthia Rabinowitz, Soil Scientist Northwest Conservation District, letter dated, April 24, 2020, into the record which concluded the Wetlands in question is a vernal pool. James McManus, Soil Scientist, concurred.

K. Stevens invited the Public to speak.

Richard Emard	15 Good Hill Road
Ryan Cornish	21 Good Hill Road
Kristen Giron	12 Good Hill Road

Attorney Marcus responded to the Public's concerns and stressed the duties by law of the Inland Wetland Commission stating the Applicant has substantiated that the proposed project will not have adverse effects to the Wetlands.

J. McManus stated the all the impacts to the vernal pool have already occurred with the construction of the neighborhood.

Agent McCollum question why only one visit was made and not more, when the viability of the vernal pool is in question and can only one visit determine its viability if the habitat is not viewed throughout a species life cycle. J. McManus stated only one visit was done due to instruction being to determine if seasonal flooding of an area is a vernal pool. He determined that it was a vernal pool.

M. Mazzucco stated the site has already been disturbed and the watershed in that area will be maintained and intact.

Director Cavagna questioned the Commission if Eric Davison's skill set is needed for further clarification.

K. Stevens allowed for further Public input.

Mary Ann Kulla	17 Good Hill Road
Richard Mould	10 Good Hill Road
Victoria Cornish	21 Good Hill Road
Ryan Cornish	21 Good Hill Road
Richard Emard	15 Good Hill Road

Attorney Marcus addressed comments.

Agent McCollum had questions on the infiltration system with M. Mazzucco addressed.

P. Perrefort stated some of his concerns which were addressed by M. Mazzucco and J. McManus.

Attorney Charles Andres stated it would be in the Commission's best interest to continue the Public Hearing due to Wright-Pierce's comments, dated May 1, 2020, not being received in time to file prior to the meeting and the Commission would be allowed additional time to address issues needing clarification.

P. Samardak requested all of the profession counsel be available for the next meeting to provide cohesiveness and clarification.

L. David questioned if any blasting was to occur and M. Mazzucco stated no blasting is anticipated.

M. Mazzucco questioned if there are any timeline limits for Public Hearing extension and Attorney Andres stated the Governor granted an additional 90 day continuance to due COVID-19.

K. Stevens polled the Commission and the consensus was to continue the Public Hearing to the May 18, 2020 meeting.

IWC-2019-07	Wooster Street #104 – Construct a paved driveway, related parking area, 8,000 square foot storage building, and concrete bulk storage bin area within Regulated Upland Review Area (Accepted 01/27/2020, Public Hearing Opened 02/24/2020, Meeting Cancelled 03/23/2020, Meeting Postponed 04/27/2020, Continued 05/04/2020)
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K. Stevens re-opened the Public Hearing. P. Perrefort is recused from this hearing.

Attorney Neil Marcus, Cohen & Wolf, P.C., spoke on behalf of the Applicant, and stated there was a request last time to have the Wetlands re-certified by James McManus, Soil Scientist.

Agent McCollum stated the following documents for the record:

JMM Consulting, General Permit Plan Update, last revised on May 1, 2020
CAA, Location Survey, dated April 22, 2020
Anchor Engineering Response, dated May 1, 2020

Marek Kement, P.E, Anchor Engineering, spoke on behalf of the Applicant and reviewed the proposed application. He stated with the newly delineated Wetlands there is less of an impact than the original survey. He detailed the portions of the project that would fall within the Upland Review Area.

K. Stevens open the floor for Public Input.

Mary Ann Kulla 17 Good Hill Road, representing the Bethel Land Trust
Dirk Perrefort 71 Wooster Street

M. Kement and Attorney Marcus addressed the Public comments.

L. David questioned what would be permitted on-site and M. Kement addressed the question.

Agent McCollum advised the Commission to continue the Public Hearing to the May 18, 2020 meeting and stated his reasons for the continuance.

K. Stevens polled the Commission and the consensus was to continue the Public Hearing to the May 18, 2020 meeting.

K. Stevens requested moving Application Decision for 47 Shelley Road up on the agenda due to the late hour and the Applicant being on the line.

APPLICATION DECISIONS:

IWC-2019-10 Shelley Road #47 – Construct a multi-family unit development consisting of 9 units with an access way, septic system, stormwater management system components, and associated site improvements within Regulated Upland Review Area (*Accepted 11/25/2019, Public Hearing Opening 01/27/2020, Continued on 02/24/2020, Public Hearing Closed on 02/24/2020*)

P. Perrefort re-seated himself on the Commission.

L. David left the meeting at 9:51 p.m. A quorum was maintained.

Agent McCollum informed the Commission a Draft Resolution of Approval was emailed to the Commission for review and responded to their questions.

Motion made by P. Perrefort, seconded by K. Stevens, to approve Resolution of Approval for Shelley Road #47, with conditions as outlined. Vote, All in Favor, Motion Passed.

SITE PLAN REVIEWS: None

COMMISSION ITEMS:

Inland Wetlands Commission Regular Meeting Minutes 02/24/2020:

Motion made by P. Samardak, seconded by G. Johnston, to approve the minutes from the Regular Meeting of February 24, 2020, as submitted. Vote, All in Favor, Motion Approved.

Inland Wetlands Commission Special Meeting Minutes 03/09/2020:

Motion made by P. Samardak, seconded by P. Perrefort, to approve the minutes from the Special Meeting of March 9, 2020, as submitted. Vote, All in Favor, Motion Approved.

Invoices:

Motion made by P. Samardak, seconded by G. Johnston, to approve the Hearst Connecticut Media Group invoice in the amount of \$555.50. Vote, All in Favor, Motion Approved.

Motion made by P. Samardak, seconded by K. Stevens, to approve the Northwest Conservation District – Third Party Review (9 Good Hill Road) invoice in the amount of \$2,520.00. Vote, All in Favor, Motion Approved.

NEW BUSINESS: None

OLD BUSINESS: None

INLAND WETLANDS AGENT REPORT:

Enforcement:

IWV-2019-02 Henry Street #32 – Placement of millings and dumpsters within Regulated Upland Review Area.

Agent McCollum stated he will attend to this item once the Public Health Crisis subsides. Item tabled.

Inland Wetlands Agent Approval:

IAA-2020-01 Vail Road #18 – Installation of on-site subsurface sewage disposal system leaching area, septic tank, and pump chamber; and associated site improvements within a Regulated 100' Upland Review Area.

Agent McCollum informed the Commission of this administrative approval.

COMMISSIONER'S COMMENTS / REPORTS: None

PUBLIC PARTICIPATION: None

ADJOURNMENT:

G. Johnston made a motion to adjourn at 10:05 p.m., seconded by P. Samardak. Vote, All in Favor, Motion Passed.

Respectfully submitted,



Kathy Galbis
Recording Secretary