

**CHESHIRE INLAND WETLANDS AND WATERCOURSES COMMISSION
REGULAR MEETING
TUESDAY, MARCH 20, 2018 – TOWN HALL – 84 SOUTH MAIN STREET
ROOM 207/209 – 7:30 P.M.**

**Members present: Robert de Jongh, Charles Dimmick, Dave Brzozowski,
Earl Kurtz, Will McPhee, Kerrie Dunne.**

Absent: Thom Norback.

Staff: Suzanne Simone.

I. CALL TO ORDER

Chairman de Jongh called the meeting to order at 7:30pm.

II. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

III. ROLL CALL

Ms. Dunne called the roll.

Members present were Robert de Jongh, Charles Dimmick, Dave Brzozowski, Earl Kurtz, Will McPhee, and Kerrie Dunne.

IV. DETERMINATION OF QUORUM

Chairman de Jongh determined there were enough members present for a quorum.

V. APPROVAL OF MINUTES Regular Meeting – March 6, 2018

Chairman de Jongh called for a motion to approve the regular meeting minutes from the March 6, 2018 meeting.

Motion: To approve the regular meeting minutes from the March 6, 2018 meeting subject to corrections (pg. 4 L17 delete “then this would get turned over to the town attorney”; pg. 7 L11 “on” to “to”).

Moved by Dr. Dimmick. Seconded by Ms. Dunne. Motion approved unanimously by Commission members present.

VI. COMMUNICATIONS

Ms. Simone reviewed the following communications.

1. **Extension Request from Jason Bartlett Re: Corrective Order**

Ms. Simone explained that this correspondence would be discussed under enforcement actions.

2. **Staff Communication W/Attachments Re: 189 Lanyon Drive**

Ms. Simone stated this correspondence is subject of new business on the agenda.

3. **Staff Communication Re: IWWC Permit After the Fact Fee**

Ms. Simone stated this correspondence is on the agenda under unfinished business.

VII. INSPECTION REPORTS

1. **Written Inspections**

Ms. Simone stated there were no written inspections.

2. **Staff Inspections**

a. **Richmond Glen**

Ms. Simone said that she received an inquiry from Richmond Glen asking about regular maintenance in the area near Honey Pot Brook – the grass area; they asked about topping off some of the weed vegetation that has started coming up in there. She said she looked at the approval for this area and there was no requirement of a conservation easement. She said they stated they would not be interested in disturbing the soil; that they just wanted to trim.

Ms. Simone said in looking at the approval, it didn't seem there was anything (activity) prohibited there.

b. **Development Inquires**

Ms. Simone said that this is not an official staff review but that there's been a lot of people coming into the office asking about development so they may start seeing more applications for development.

3. Other Item (not an inspection report)

Ms. Simone said although this is not a wetlands issue, she is aware that at least one Commission member was contacted about an open space issue and she wanted to clarify her involvement to the Commission.

Ms. Simone stated that this is not business of the Wetlands Commission but as part of her job as the environmental planner, she is the open space steward and in that role, she's dealing with a situation on Boulder Road - the location of a 200-acre parcel of open space. She explained that it's come to the town's attention that a private property owner, William Bonaminio, who also serves on town committees/boards is in violation for dumping/trespassing on the town space property at Boulder Road.

Ms. Simone explained there were issues related to issues including dumping on town property, dumping compost within the vicinity of the public drinking watershed (the City of Meriden is involved in this matter; the Town of Cheshire now has a drinking water violation in place because of Mr. Bonaminio's activity on their property), using town property to store debris, and trespassing on town property.

Ms. Simone said Mr. Bonaminio was contacted by the Town of Cheshire and was given 30 days to comply with an order to remove the debris from the town's property; and that he is objecting to the request.

Commission members discussed this matter. There was discussion that this property is no longer an active dairy farm, that town and state funds were used to purchase this open space property and that fact that dumping is occurring on town owned property.

VIII. ENFORCEMENT ACTIONS

1. Notice of Violation/Cease and Desist Order SC 12/06/16
House 2 Home Construction, c/o Mr. Edward Barnett
Unauthorized Activities in a Regulated Wetland Area
509 Mountain Road
Assessor's Map 62, Lot 4

Chairman de Jongh stated this item would remain on the agenda for continued monitoring.

2. Notice of Violation/Cease and Desist Order SC 5/16/17

Unauthorized Activities in Upland Review Area	SC	6/06/17
Luis Rivera and Joanna Kozak	SC	6/20/17
1392 Cheshire Street	SC	7/05/17
Assessor's Map 30, Lot 17	SC	7/18/17
	SC	8/01/17
	SC	9/05/17

Chairman de Jongh stated this item would remain on the agenda for continued monitoring.

3. Notice of Violation/Cease and Desist Order SC 2/20/18
Unauthorized Activities in an Upland Review Area, SW 2/24/18
Wetland Area and Intermittent Watercourse
Mr. Jason Bartlett
358 Cornwall Avenue
Assessor's Map 57, Lot 75

Ms. Simone explained to the Commission that at last meeting this item was subject of a corrective order that provided a specific date for action to take place.

Ms. Simone said in conversation with Jason Bartlett he asked about an extension of the compliance date stated in the corrective order and inquired about a permit after the fact (activity to fill the pond – activity previously denied). She explained to him that he could apply for a permit after the fact, after the corrective order (action) was completed.

Ms. Simone confirmed Commission members received a copy of the email sent by Jason Bartlett dated March 14, 2018 requesting an extension of the compliance date of April 2, 2018 to May 2, 2018; and that he inquired about

The Commission discussed the request for an extension of the compliance action date and expressed concerns regarding extending the date that the activity stated in the corrective order has to be completed by.

Motion: That the Commission denies the date extension request to complete the corrective measures.

Moved Dr. Dimmick. Seconded by Mr. Kurtz. Motion approved unanimously by Commission members present.

Ms. Simone said that Mr. Bartlett could come back to the Commission regarding seeding the compromised lawn area asking for more time to seed the area because of weather conditions.

Commission agreed with being able to return for more time to seed.

IX. UNFINISHED BUSINESS

1. Potential Addition/Modification to IWWC Fee Schedule

Ms. Simone provided Commission members with an update on the research she's done regarding potential addition/modification to IWWC fee schedule. She explained that she looked at what other towns compared to Cheshire are doing regarding fees; and what these comparative towns are charging for fees for permits after the fact and that other towns charge more for after the fact permits.

Ms. Simone discussed the details in the draft memo she prepared for Town Manager Michael Milone regarding the towns compared, if they have after the fact fees and what those fees were; the fee increase would cover the discrepancy fees compared to the standard application fees.

Commission member were all in agreement that the fee schedule for permits after the fact would be the application fee plus 200% of the original fee; fees to cover additional staff time for review, administrative time and site visits, etc.

Commission members agreed that the draft memo should be sent to Michael Milone.

Chairman de Jongh said that he and Dr. Dimmick could draft a letter to go along with the request.

X. NEW BUSINESS

- | | | |
|------------------------------|------------|-----------------|
| 1. Permit Application | APP | 2018-003 |
| Jason Outlaw | DOR | 3/20/18 |
| 189 Lanyon Drive | | |
| Detached Garage | MAD | 5/24/18 |

Jason Outlaw was present.

Mr. Outlaw addressed the Commission. He explained to the Commission that he wanted to install a detached garage adjacent to the existing house (and small driveway extension) that would have no direct impact the wetlands; it's located within the upland review area extending off of the existing driveway.

Mr. Outlaw's sketch showed a silt fence around the project area.

Commission members reviewed the plan for the proposed activity; the house and the property pre-date the adoption of the IWWC regulations.

Ms. Simone said that an application for the activity had been submitted and that she had all the information needed (for her review).

This item would be addressed again at the April 3, 2018 meeting.

XI. ADJOURNMENT

The meeting was adjourned at 7:51 pm by consensus of Commission members present.

Respectfully submitted:

**Carla Mills
Recording Secretary
Cheshire Inland Wetland and Watercourse Commission**