

Unapproved

SALEM INLAND WETLANDS AND CONSERVATION
April 12, 2010

Present: Balavender, G., Alt.
Belt, E.
Chinatti, M. - WEO
Leuck, W. - arrived at 7:18 pm
Natoli, E., Alt.
Phillips, R.
Snyder, S.
Wildrick, L.
Ziegra, G.

Absent: Khan-Bureau, D.
Vacancy, Alt.

Guests: D. Bok, M. Cain, and L. Schroeder.

Chairman S. Snyder:

- Called the meeting to order at 7:01 pm, and
- Introduced all members and staff present.

M/S/C (Belt/Wildrick) to seat G. Balavender for D. Khan-Bureau and E. Natoli for W. Leuck.
Vote: approved unanimously.

PUBLIC HEARINGS:

None Scheduled.

ADDITIONS TO THE AGENDA:

The chairman, with the Commission's consensus, added the following to tonight's agenda:

- Under *APPROVAL OF MINUTES OF PREVIOUS MEETING(S)* add the following:
"2) April 6, 2010 - Show Cause Hearings"

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

- 1) **March 29, 2010 - Show Cause Hearing**

M/S/C (Ziegra/Wildrick) to approve the minutes of the March 29, 2010 Show Cause Hearing of the Salem Inland Wetlands and Conservation Commission as presented. Vote: approved unanimously.

2) **April 6, 2010 - Show Cause Hearings**

M/S/C (Natoli/Belt) to approve the minutes of the April 6, 2010 - Show Cause Hearings amended as follows:

Page 2, in the second paragraph, change *M. Barba stated that, other than hear and there, the majority* to "M. Barba stated that, other than here and there, the majority"

Page 3, in the sixth paragraph, change *..... should also indicate the property is to attend the meeting* to "..... should also indicate the property owner is to attend the meeting"

Vote: approved unanimously.

WETLANDS ENFORCEMENT OFFICER'S REPORT:

There was no report this evening.

OLD BUSINESS:

- 1) **Show Cause Hearing** - 566 Hartford Rd., Violation of the Town of Salem Inland Wetlands and Watercourses Regulations by enlarging a deck within the wetlands without first obtaining a permit from the Inland Wetlands and Conservation Commission. Property owner: George Meseha, 566 Hartford Rd. (Continued from 4-6-10)

No one appeared for this hearing.

M. Chinatti, WEO:

Stated that she had sent two (2) letters (Certified/Return Receipt) (3/30/10 & 4/06/10) to Mr. Meseha and has not as yet received the Return Receipts from the Post Office.

S. Snyder, Chair:

Read the letter of 4/06/10 to Mr. Meseha from M. Chinatti, WEO into the record.

The property is still under a Cease & Desist Order.

In order to give Mr. Meseha time in which to arrive at the meeting, the Commission consensus was to table this item until after item **3) IWCC #10-04-10** under **OLD BUSINESS** has been completed.

- 2) **Show Cause Hearing** - 1 New London Road, violation of the Town of Salem Inland Wetlands and Watercourses Regulations by disposing/allowing of disposal of trash/debris within the wetlands, watercourse(s) and 75' upland review area. Property Owner: B&D Salem Realty LLC, Manchester, CT (Continued from 3-29-10)

D. Bok appeared before the Commission:

Stated that they would be taking action to clean up the property:

W. Leuck arrived at the meeting, but remained unseated.

- They are hiring an employee to pick up all the trash/debris now and to continue to keep the place picked up;
- Will be placing all the renters on notice regarding their trash; and
- Will be placing "NO DUMPING" signs in the rear of the property.

The Commission stated the following:

- No mechanized vehicles or equipment should be used for the clean-up except perhaps a vacuum that could read over into the wetlands to pick up debris;
- Attention should be paid to dumpsters: lids closed; perhaps larger dumpsters or more frequent pick-ups.
- The proposed clean-up activities should be written up and submitted to the Commission.

Commission discussion in regard to the possibility of a two-phase clean-up suggested by E. Natoli:

- First Phase: A dry area clean-up to be completed by the end of April.
- Second Phase: The wetland clean-up to be completed by the end of June in order to allow for some drying of the wetlands after the heavy rains we have had.

D. Bok suggested that the Commission should prepare a regulation in regard to littering and establish fines.

M/S/C (Natoli/Wildrick) that B&D Salem Realty, LLC of Manchester, CT, the owner of 1 New London Road, shall prepare and provide to the Salem Inland Wetlands and Conservation Commission, on or before April 19, 2010 and subject to the Zoning Enforcement Officer's approval, a copy of the outline of activities that will be taken for a two-phase clean up of the trash/debris located at 1 New London Road:

- First Phase: A dry area clean-up to be completed by the end of April.
- Second Phase: The wetland clean-up to be completed by the end of June in order to allow for some drying of the wetlands after the heavy rains the first week in April.

Vote: approved unanimously.

NEW BUSINESS:

- S. Snyder recused herself and stepped down as chair of the meeting.
E. Belt, vice chair, assumed the chairmanship.

- 1) **Salem Land Trust** - Request for letter of support for DEP Open Space and Watershed Land Acquisition Grant application for purchase of 750 Hartford Rd.

M. Cain, Salem Land Trust Board of Trustees member, appeared before the Commission:

Read a letter (4/12/10) from the Salem Land Trust to the Salem Inland Wetlands and Conservation Commission in request of a letter of support from the Commission for a Connecticut State Open Space and Watershed Land Acquisition Grant (see attached to the filed copy of these minutes).

Commission review of the information (maps of the property) received from the Salem Land Trust.

After the review and discussion, the Commission took the following action:

M/S/C (Ziegra/Natoli) to approve the following resolution:

WHEREAS the Salem Land Trust has entered into negotiations with the heirs of the Wilfred E. Wheaton Estate, represented by their attorney, William Bowles Esq., for the purpose of preserving 19.6 acres of undeveloped land in the Eightmile River watershed for the purpose of natural resource protection of the watershed, and

WHEREAS the Salem Land Trust is applying to the State of Connecticut under the Open Space and Land Acquisition Grant Program for a matching grant to enable the acquisition of the parcel of land owned by the Wilfred E. Wheaton Estate for Open Space preservation, and

WHEREAS the Town of Salem Inland Wetlands and Conservation Commission has been charged with the responsibility of making recommendations for appropriate open space acquisition, and

WHEREAS the Wheaton parcel is part of a wildlife corridor and large forested block of outstanding natural resources, which contains three permanently preserved properties, the Ahnert Preserve, Cunningham Farm and Zemko Sawmill Preserve, and which will be enhanced by the addition of this parcel as undeveloped open space, and

WHEREAS protection of this parcel as open space is consistent with the Salem Plan of Conservation and Development, and meets the guidelines that are contained in the Salem Open Space Plan for parcels that should have a high priority for open space acquisition,

WHEREAS the Eightmile River has received federal recognition as a Wild and Scenic River because of outstanding resource values exemplified by and enhanced by this parcel,

THEREFORE BE IT RESOLVED that the Town of Salem Inland Wetlands and Conservation Commission hereby supports the application by the Salem Land Trust for the Open Space and Watershed Land Acquisition matching funds from the State of Connecticut, to be granted to the Salem Land Trust, for the purchase of the parcel at 750 Hartford Road, Salem, Connecticut presently owned by the Estate of Wilfred E. Wheaton.

Vote: approved unanimously.

- 2) **The Nature Conservancy** - Request for letter of support for DEP Open Space and Watershed Land Acquisition Grant application for purchase of a conservation easement for property at 123 Gungy Rd.

M. Chinatti, WEO:

This request is for the purchase of a conservation easement only; not for the purchase of the land.

The easement will be maintained by and taxes will still be paid by the property owners.

M/S/C (Wildrick/Balavender) to prepare a letter in support of the Nature Conservancy's application for a DEP Open Space and Watershed Land Acquisition Grant for the purchase of a conservation easement for property at 123 Gungy Road, Salem, Connecticut. Vote: approved unanimously.

E. Belt stepped down as chair of the meeting.

S. Snyder resumed her seat and chairmanship of the meeting.

- 3) **IWCC #10-04-01** - Kevin Lyden, applicant, Town of Salem, owner, for property at 264 Hartford Road. Declaratory Ruling requested for sign installation at the front of the property.

M. Chinatti, WEO:

The application is for a sign to be placed at the front of the Salem Free Public Library.

It is the same sign that was used at the former library building, but it will have metal poles instead of wooden ones.

After review of the plans submitted with the application, the Commission took the following action:

M/S/C (Wildrick/Natoli) to grant a Declaratory Ruling for application #10-04-01 of K. Lyden, Town of Salem, for the placement of a sign at the front of the Salem Free Public Library at 264 Hartford Road as shown on the plans presented with the application. Not

within wetlands or Upland Review Area as per the Salem Inland Wetlands and Watercourses Regulations.

Vote: approved unanimously.

This item was moved to this place on tonight's agenda to allow for Mr. Meseha's expected arrival.

OLD BUSINESS:

- 3) **Show Cause Hearing** - 566 Hartford Rd., Violation of the Town of Salem Inland Wetlands and Watercourses Regulations by enlarging a deck within the wetlands without first obtaining a permit from the Inland Wetlands and Conservation Commission. Property owner: George Meseha, 566 Hartford Rd. (Continued from 4-6-10)

Mr. Meseha still had not appeared at the meeting.

The Commission discussed waiting until the Commission receives the return receipts from the two letters sent by the WEO.

M. Chinatti, WEO, suggested:

Send another letter stating either:

- If he does not remove the deck within a certain period of time, the Commission will refer the matter to their attorney for action, or
- Provide a delineated wetlands map of his property to prove that the deck is not in the wetlands or the Upland Review Area.

After further discussion, the following action was taken:

M/S/C Ziegra/Belt) to send another letter to the owner of the property at 566 Hartford Road stating the following must be provided on or before May 10, 2010:

- Application for a Building Permit for the deck must be made by the property owner, or
- A delineated wetlands map of the 566 Hartford Road property must be provided to the Commission showing the location of the deck outside of the wetlands and the Upland Review Area.

Vote: approved unanimously.

M/S/C (Ziegra/Wildrick) to continue this Show Cause hearing for 566 Hartford Road to the May 10, 2010 Regular Meeting of the Salem Inland Wetlands and Conservation Commission. Vote: approved unanimously.

The Commission resumed their agenda.

CONTINUING BUSINESS:

- 1) **Adhoc Conservation Committee report**

E. Belt stated that the Committee is making incremental process, the new plotter has been installed and a Salem graduate school student has volunteered to work on the GIS with him.

2) **Adhoc Open Space Inventory Committee report**

S. Snyder stated that L. Schroeder is making progress on the ten (10) acres or larger parcels; she needs another month or two for completion.

3) **Adhoc Educational Outreach Committee report**

D. Khan-Bureau was absent, but S. Snyder noted that Ms. Khan-Bureau had submitted an article to the town's newsletter.

CORRESPONDENCE:

- Beach Maintenance Plan for Gardner Lake State Park beach area:
S. Snyder reviewed the maintenance activities that will be taking place.
- The Habitat newsletter.
- Park & Forest Association - copy of a timber harvest application they have developed for Commission's review.
- Dept. of Emergency Management and Homeland Security - notification that the flood maps have been revised:
M. Chinatti, WEO, stated that there are very negligible revisions for Salem.
- Environmental Review Team - request for funding.
- CCM - Connecticut Town & City
- Notification of ESRI seminar.
- CT Wildlife magazine
- CT Audubon Society Report.
- Notification of seminar on Riparian Corridors to be held at the Salem Town Office Building in June.

CRITIQUE:

There was no *CRITIQUE* this evening.

ADJOURNMENT:

M/S/C (Belt/Wildrick) to adjourn the meeting at 8:17 pm. Vote: approved unanimously.

D. McTigue, Administrative Assistant/Recording Secretary
S. Snyder, Chairman