

**SALEM INLAND WETLANDS AND CONSERVATION COMMISSION**  
**October 12, 2010**

Present: Balavender, G., Alt. - arrived at 7:52 pm  
Belt, E.  
Chinatti, M. - WEO  
Natoli, E., Alt.  
Wildrick, L.  
Ziegra, G.

Absent: Khan-Bureau, D.  
Leuck, W.  
Phillips, R.  
Snyder, S.  
Vacancy, Alt.

Guests: see attached.

In the absence of Chairman S. Snyder, Vice chairman E. Belt:

- Called the meeting to order at 7:31 pm, and
- Introduced all members present.

**PUBLIC HEARINGS:**

None Scheduled

**ADDITIONS TO THE AGENDA:**

There were no *ADDITIONS TO THE AGENDA* this evening.

M/S/C (Ziegra/Wildrick) to seat E. Natoli for S. Snyder. Vote: approved unanimously.

**APPROVAL OF MINUTES OF PREVIOUS MEETING(S):**

- 1) **September 13, 2010 - Regular Meeting**

M/S/C (Ziegra/Natoli) to approve the minutes of the September 13, 2010 Regular Meeting of the Salem Inland Wetlands and Conservation Commission amended as follows:

Page 3: in the motion at the bottom of the page, in the *Vote: For approval;*  
delete ~~Leuck~~.

Vote: approved unanimously.

**WETLANDS ENFORCEMENT OFFICER'S REPORT**

M. Chinatti, WEO, stated that she would address each item as they were heard on tonight's agenda.

**OLD BUSINESS:**

- 1) **Smith - As-of-Right Determination application (#10-08-01) for replacement of existing terraced walls on the lake side of property at 146 Old Colchester Road**

M. Chinatti, WEO:

The plans were sent to J. Dillon (Nathan Jacobson & Assoc.), Town Engineer,

His one concern in his letter of 10/08/10, was that no structural computations were submitted.

B. Plouff, LBP Construction, contractor for the project and the applicant's agent, appeared:

Presented letter of 10/12/10 from R. Bragdon, PE, in response to J. Dillon's concern.

Stated that the wall construction as shown is fairly typical.

Commission consensus that the construction, as shown on the plan presented, will have minimal impact to the wetlands.

The Commission took the following action:

M/S/C (Ziegra/Natoli) to approve, with the conditions that appear on the permit, As-of-Right Determination (#10-08-01) of E. Smith for replacement of existing terraced walls on the lake side of property at 146 Old Colchester Road. Vote: approved unanimously.

- 2) **Referrals to the Town Attorney or a Wetlands Attorney**

Commission consensus was to table this matter to the November meeting.

M/S/C (Natoli/Wildrick) to table the matter of *Referrals to the Town Attorney or a Wetlands Attorney* to the November 8, 2010 Salem Inland Wetlands and Conservation Commission Regular Meeting. Vote: approved unanimously.

**NEW BUSINESS:**

- 1) **Meseha - Regulated Activity application (#10-10-02) to work within a wetland for the purpose of deck expansion at 566 Hartford Road (reapplication)**

G. Meseha, property owner, appeared before the Commission.

M. Chinatti, WEO:

Mr. Meseha's last application was denied by the Commission at the 9/13/10 IWCC meeting due to a lack of information.

Mr. Meseha has since provided the information requested by the Commission and submitted another application.

G. Balavender arrived at the meeting.

Commission review of the information submitted showing how many pilings/footings (both old and new) are being used for the deck and where they are now or where they were located.

G. Ziegra noted that the wetlands were not flagged by a Soils Scientist.

M. Chinatti, WEO:

No action can be taken on the application tonight, as the Commission has just received it, but a request for the waiver of the fee for this application has been submitted by the applicant and action can be taken on that matter.

After discussion, it was the Commission's consensus that the prior application incurred costs for the Town Engineer to review it and the legal noticing of the denial, and they took the following action:

M/S/C (Natoli/Wildrick) to deny the fee waiver request for the Meseha Regulated Activity application #10-10-02. Vote: approved unanimously.

M/S/C (Ziegra/Natoli) to table the Meseha Regulated Activity application (#10-10-02) to work within a wetland for the purpose of deck expansion at 566 Hartford Road (reapplication) to the November 8, 2010 Regular Meeting of the Salem Inland Wetlands and Conservation Commission. Vote: approved unanimously.

M/S/C (Wildrick/Ziegra) to seat G. Balavender for R. Phillips. Vote: approved unanimously.

**2) Quinn - As-of-Right Determination (#10-10-03) for drainage work at 186 Old Colchester Road (Khan)**

E. Quinn, owner of property at 192 Old Colchester Road, appeared for himself and his abutting landowners who have been experiencing flooding problems on their properties for the past few years.

Upstream property owners installing drainage piping, as well as the State of CT DOT, who has done upstream drainage work on Route 354 (Old Colchester Road), have redirected and concentrated sheet flow over the properties in the Springtime and during heavy rains.

Presented photos of the properties of what the areas look like when the flooding occurs.

The property owners have all agreed to have the work done and to split the costs among themselves.

The Commission reviewed the plan presented by Mr. Quinn.

M. Chinatti, WEO:

Noted that the plan should also be reviewed by the State DOT and the DEP.

Discussion in regard to the placement of a splash pad structure (possibly using large stones) at the end of the outflow pipe so as to slow down the velocity of the water going into Gardner Lake.

The following action was taken:

M/S/C Ziegra/Natoli) to approve As-of-Right Determination #10-10-03 of E. Quinn for drainage work at 186 Old Colchester Road (Khan) with the following recommendation:

- Place on file with the Salem Inland Wetlands and Conservation Commission a revised plan showing the accurate location of the pipe and the details of a splash pad at the end of the pipe.

Vote: approved unanimously.

3) **LaSaracina Appeal to the Inland Wetlands and Conservation Commission in regard to the WEO's issuance of Inland Wetlands Buffer Permit #10-09-02 for 30 Eden Park Drive (Alligood)**

Commission review of M. Chinatti's memo of 10/12/10 concerning the background for this appeal (see attached to the filed copy of these minutes).

Commission review of Section 12 of the Salem Inland Wetlands and Watercourses Regulations in regard to if the Wetlands Enforcement Officer (WEO) acted in accordance with the Regulations:

- Salem's WEO, Mary Ann Chinatti, *has completed the comprehensive training program developed by the Commissioner of Environmental Protection pursuant to Section 22a-39 of the Connecticut General Statutes.*
- The Buffer Permit issued will have minimal impact to the wetlands; as a condition of approval, E&S control measures are to be installed on the lakeside of the proposed activity.

After discussion, it was the Commission's consensus that they agree with the eleven (11) reasons stated by the WEO in her memo of 10/12/10 as to the validity of the permit #IWBUF 10-09-02 and took the following action:

M/S/C (Ziegra/Wildrick) to uphold the Wetlands Enforcement Officer's Decision for the approval of Inland Wetlands Buffer Permit #IWBUF 10-09-02 and to deny the appeal of Anthony and Shelene LaSaracina as requested in the September 28, 2010 letter from Attorney Mark E. Block of BJP Attorneys at Law. Vote: approved unanimously.

**CONTINUING BUSINESS:**

- 1) **Adhoc Conservation Committee report**  
E. Belt: Committee is still making incremental progress.
- 2) **Adhoc Open Space Inventory Committee report**  
No report.
- 3) **Adhoc Educational Outreach Committee report**  
No report.

**CORRESPONDENCE:**

- Email from IWCC member W. Leuck stating that he will be on National Guard active duty from November 2010 -December 2011.
- A course in Applied Soil Ecology and Conservation will be offered at Three Rivers Community College; IWCC member D. Khan-Bureau is the coordinator.
- Yearly dues for CACIWIC; Annual Meeting to be held 11/13/10.  
M/S/C (Natoli/Wildrick) to pay the yearly sustaining member dues, if not already paid. Vote: approved unanimously.
- ESRI information.

**CRITIQUE:**

Commission review of the positive aspects and areas for improvement in regard to the conduct of tonight's meeting.

**ADJOURNMENT:**

M/S/C (Ziegler/Natoli) to adjourn the meeting at 9:05 pm. Vote: approved unanimously.

D. McTigue, Administrative Assistant/Recording Secretary  
E. Belt, Vice Chairman