

**TOWN OF SALEM
INLAND WETLANDS & CONSERVATION COMMISSION
REGULAR MEETING MINUTES
MONDAY, JANUARY 13, 2020 – 7:00 P.M.
SALEM TOWN HALL – CONFERENCE ROOM 1**

1. Call to Order

Chairman Natoli called the meeting to order at 7:02 p.m.

2. Roll Call/Seating of Alternates

Present were Chairman Edward Natoli, Jr., Vice Chairperson Diba Khan-Bureau, Commissioners Kimberly Bradley, Jim Mulholland, and Linda Wildrick. Absent were Secretary Roger Phillips, Commissioner Gale Balavender and Alternate Commissioners Frank Abetti, Lou Allen, Jr., and Larry Moore. Also present was Zoning & Wetlands Enforcement Officer (ZWEO) Matthew Allen.

Chairman Natoli reminded everyone that, beginning with their next meeting in February, the Commission's Regular Meetings would be held on the first, rather than the second, Monday of the month.

3. Approval of Agenda

No amendments were made to the agenda.

4. Approval of Minutes:

A. December 9, 2019

M/S/C: Khan-Bureau/Bradley, to approve the Meeting Minutes of December 9, 2019, with the following amendment:

Page 6, 3rd paragraph:

~~A gentleman who is also a member of the Association remarked, "with friends like that, who needs enemies?" and felt that the amount of water that flows down the road would not create such an erosion.~~

Steven Kreft, 36 Gardner Lake Heights, stated that the erosion issue was due to the water run-off upland from the Klein's property.

Discussion: None. Voice vote, 4-0-1. Voting in Favor: Commissioners Bradley, Khan-Bureau, Mulholland (until his departure from the meeting), and Natoli. Voting in Opposition: None. Voting in Abstention: Commissioner Wildrick.

5. Public Comment – none

6. New Business – none

7. Public Hearing(s) – none

8. Old Business

A. Violation at 76 Shingle Mill Road

ZWEO Allen provided a brief overview of their discussion at the Commission's previous meeting. He reported on the receipt of a document, which was provided to the Commission,

regarding a further assessment of the stream. The report, which was received this evening, will be e-mailed to the Commissioners for review.

Chairman Natoli reported that the Army Corps of Engineers was contacted and no response has been received to date. He has also spoken with Eightmile River Wild & Scenic Watershed Program Director Patricia Young, who reviewed the information, and briefly discussed the possibility of acquiring the services of an independent professional/expert, e.g. Soil Scientist, to review the plan. He felt that, due to the significant amount of expertise on the Commission, it would not be necessary to acquire such services. While Commissioner Bradley stated the benefits of requesting an expert to review the area and provide an unbiased report, she felt that experts are often called upon to review complex situations, and, having reviewed the preliminary plan provided by REMA Ecological Services, LLC, she, too, felt that the Commission would be able handle the issue.

In response to Commissioner Khan-Bureau, Chairman Natoli will contact George Logan, REMA Ecological Services, regarding conducting a Rapid Bioassessment Study of the area.

In response to Chairman Natoli, Arthur Maurice, co-owner of property in question, stated that straw and grass seed has been lightly planted. They are hoping to return the fill, per their previous discussion and submitted plan, following the next freeze, which is predicted to occur in ten (10) days.

In response to Commissioner Khan-Bureau, Mr. Maurice stated that fill was brought in for their property located at 64 Shingle Mill Road as they are planning to repave their driveway.

The violation will be revisited at the Commission's February Regular Meeting.

Commissioner Mulholland exited the meeting at 7:19 p.m.

B. Violation at 14 Fett Road

Chairman Natoli reported that he has spoken with Public Works Director Donald Bourdeau, Jr., who stated that the installation of a water bar was planned, but, due to the possibility of the water pooling in certain areas, freezing, and causing a safety issue, they decided against doing so. It was agreed to request that the Town Engineer evaluate the area and generate a report regarding the drainage of the water on the road.

Commissioner Bradley expressed her concerns and, due to the complexity of the issue, suggested the possibility of hiring an external expert to review and evaluate the issue and provide an unbiased opinion. Discussion ensued regarding the issue and the cause of the erosion, which could be answered by a certified engineer. It was agreed to have the Town Engineer review and report on his findings. Once completed and submitted, the report will be forwarded to the Commission for review and further discussion.

9. Wetlands Enforcement Officer's Report

As noted by Chairman Natoli, ZWEO Allen reported that he has informed the Army Corps of Engineers regarding the violation at 76 Shingle Mill Road and is awaiting response.

He has received numerous complaints regarding the influx of dump trucks entering the property located at 64 Shingle Mill Road. Upon investigation, a notice was issued to the property owner(s) regarding the possibility of a wetlands and/or zoning violation and requested that he be informed of the activity so as to determine what, if any, permitting is necessary. According to the Town's GIS Map and State's Soil Survey, wetlands are located on the property in question. In accordance to the Town's Inland Wetlands and Watercourses Regulations, the Commission has authority over any activities that would pose a threat to a wetlands area, whether it is located within the 75' Upland Review Area or not. The activity might also be an unpermitted use within the zone. He has, subsequently, spoken with the owner(s), who has informed him that they have hired a contractor to repave the driveway. ZWEO Allen has requested that a plan be submitted so as to determine the necessary permitting, if any, for the project. The owner(s) ensured him that precautions were taken to ensure that the wetlands boundaries are being heeded. Once received, he will forward the information to the Commission. He has no reason to believe that there is any imminent threat to the wetlands at this time.

He also reported that a formal letter of approval has been provided to Soil and Wetlands Scientist Rich Snarski, who is conducting a rare plant survey in the Town of Salem, to collect any necessary seeds from town property. Once received, the results will be provided to the Commission.

10. Correspondence – none

11. Plus Deltas

Per Vice-Chairperson Khan-Bureau's request, this item will be amended to read "Plus Deltas/Announcements" on future agendas.

Chairman Natoli will contact the First Selectman regarding the possibility of televising and providing live online recordings of their meetings for the public.

Vice-Chairperson Khan-Bureau announced that Three Rivers Community College is hosting Environmental Issues Seminars on Wednesday evenings, 6:00 p.m., during which experts are invited to discuss various topics. The seminars are open to the public and free of charge.

Chairman Natoli announced that the Salem Land Trust has officially opened the Woodland Warbler Preserve, located at 340 West Road. Visitors may park in front of the gate and dogs are allowed on the trails.

12. Adjournment

**M/S/C: Khan-Bureau/Wildrick, to adjourn the meeting at 7:39 p.m. Discussion: None.
Voice vote, 4-0, all in favor. Meeting Adjourned.**

Respectfully Submitted by: Agnes T. Miyuki, Recording Secretary for the Town of Salem