

INLAND WETLANDS COMMISSION
MINUTES
Regular Meeting
January 12, 2021 @ 7:30 p.m.
Council Chambers, Newtown Municipal Center
3 Primrose Street, Newtown CT

These Minutes are subject to approval by the Inland Wetland Commission

Present: Sharon Salling, Craig Ferris, Mike McCabe, Scott Jackson, Kendall Horch

Staff Present: Steve Hnatuk, Land Use Officer, Dawn Fried, Clerk

Ms. Salling opened the meeting at 7:30 p.m.

Public Hearing - Application IW #21-36 by Wharton Equity Partners, LLC, property located at 10 Hawleyville Road and 1 Sedor Lane to construct a 344,880 sq. ft. warehouse building and associated site improvements including parking, stormwater management, driveway and wetland crossing.

Mr. McCabe read the legal notice into the record. The public hearing was officially opened. Due to the applicant's request, the public hearing was continued to the regular IWC meeting at 7:30 pm on Wednesday, January 26, 2022 in the Community Center, 8 Simpson Street, Multi-Purpose Rm #3.

PENDING APPLICATION

Application IW #21-26 by Hans Barth, property located at 254 Berkshire Road, for construction of a single family dwelling.

Mr. Barth submitted revised engineer plans and a revised sediment and control plan. The Commission had a discussion on the proposed rain-garden that will replace the pond. Mr. Barth explained there is currently a liner in the pond which will be removed. Ms. Horch had concerns that the run-off from the road would enter the rain-garden. Ms. Horch questioned the calculations of the run-off. The Commission was also concerned with the overflow into the wetlands. Mr. Barth described the drainage layout on his property. The Commission was satisfied. Mr. Ferris appreciated Mr. Barth's efforts to move the structure out of the wetlands and clean up the logs and debris.

Mr. Ferris moved to approve Application IW #21-26 by Hans Barth, property located at 254 Berkshire Road, with standard conditions A, B, C, D, E, F, K, O & P.

The approved plans are: "Zoning Location Survey prepared for Hans R. Barch situate 254 Berkshire Road, Sandy Hook, CT" dated January 19, 2021, dated received 9-9-21, dated January 11, 2021, dated received 10-14-21. "Proposed Drainage Sedimentation & Erosion Plan, 254 Berkshire Road, Newtown, CT" dated December 29, 2021, dated received 1-12-22.

Mr. McCabe seconded. All in favor.

Application IW #21-34 by David Basak-Smith, property located at 71 Lakeview Terrace to obtain a permit for completed work which includes a switch-back stairway to floating dock, clearing of trees and spreading of woodchips.

The applicant was not present. The Commission discussed the application.

Mr. Hnatuk stated the applicant has not submitted the correct documentation or has communicated with the Land Use Agency. The Commission agreed a Professional Engineer's map or survey is required. Mr. Hnatuk recommended the application be denied.

Ms. Salling questioned if a good faith effort has been made and if there is a time constraint. The Commission agreed that if the applicant does not respond to the Land Use Agency by the next IWC meeting the application would be denied.

Application IW #22-01 by Tracy Chalifoux LLC, property located at 14 John Beach Road for installation of native wetland plantings to restore and mitigate cleared wetland areas.

Ms. Chalifoux, Tracy Chalifoux LLC, Landscape Architect, Danbury, CT, spoke on behalf of the applicant. Ms. Chalifoux gave an overview of the project. She described the proposed mitigation and restoration of the wetland areas. Ms. Chalifoux will be re-establishing the vegetative cover with native wetland plantings consisting of shrubs, grasses and trees. A silt fence will be installed as needed.

Mr. McCabe and Mr. Ferris voiced concerns with the stacked brush pile and the large rocks that are currently in the wetlands. Ms. Chalifoux stated the large rocks provided a habitat value and the brush will decompose over time.

Ms. Chalifoux stated no earth-work was done on the property.

Mr. Ferris stated that there is a significant amount of fill in the wetlands. Mr. Ferris asked if the applicant would be amenable to remove the rocks and brush. Ms. Chalifoux pointed out that the rocks were large and would need machinery to remove which would cause more damage. Mr. Ferris stated yes it would cause damage but the damage would be temporary.

Mr. McCabe stated the brush pile is in a concentrated area and should be reduced or removed as well.

Mr. Ferris stated the scattered natural rocks are fine. Ms. Salling stated the buried rocks can also be left.

Ms. Chalifoux suggested scheduling the rock removal around a low-flow time. Mr. Ferris agreed.

Ms. Chalifoux suggested a demarcation line from North to West. The Commission agreed that was a good idea.

Mr. Ferris liked the planting plan and thought it was well done.

Ms. Salling asked Ms. Chalifoux if the applicants would be amenable to remove the large rocks and brush pile in the wetland area. Ms. Chalifoux will reach out to the applicant and let the Land Use Agency know. A decision will be rendered at the next IWC meeting. Ms. Chalifoux does not need to be present.

APPROVAL OF MINUTES

Regular Meeting of December 8, 2021

Change "7:00 pm" to "7:30 pm". Change "Mr. Horch" to "Ms. Horch". Ms. Horch moved to accept the amended minutes from December 8, 2021. Mr. Ferris seconded. All in favor. Ms. Salling abstained. The minutes from December 8, 2021 were approved.

OTHER BUSINESS

Mr. Hnatuk stated that a subdivision wetland violation application will be coming soon.

Mr. Hnatuk stated that he has resigned from the Newtown Land Use Agency and has taken a new position as a planner with a new company. Mr. Hnatuk enjoyed working with the Commission and appreciated their efforts in keeping the town running. The Commission thanked and congratulated Mr. Hnatuk on this great opportunity.

Ms. Salling stated the IWC Commission will be voting on a slate of officers at the next meeting. If anyone in the Commission would like to be an officer email Ms. Salling or Ms. Fried.

ADJOURNMENT

With no additional business, Mr. Ferris moved to adjourn. Ms. Horch seconded. All in favor. The Regular IWC Meeting of January 12, 2022 was adjourned at 8:25 pm.

Respectfully Submitted, Dawn Fried