

**INLAND WETLANDS COMMISSION
MINUTES**

Special Meeting of February 11, 2020 at 2:00 p.m.
Health Conference Room, Newtown Municipal Center
3 Primrose Street, Newtown, CT

These minutes are subject to approval by the Inland Wetlands Commission

Present: Sharon Salling, Mike McCabe, Craig Ferris, Megan Thorn

Staff Present: Steve Maguire, Senior Land Use Officer; Steve Hnatuk, Land Use Officer; Christine O'Neill, substitute clerk

Ms. Salling opened the meeting at 2:05 p.m. Ms. Salling welcomed Ms. Thorn, the new Commissioner, and explained procedures throughout the meeting.

ACCEPTANCE OF NEW APPLICATION

Application #20-03 by 5K Enterprises, Inc., for a property located at 3 Edmond Road, Newtown, CT, so as to permit an entrance driveway crossing with a proposed concrete box culvert, as shown on a set of plans entitled, "Site Plan Depicting Proposed Wetlands Crossing, #3 Edmond Road, Map 27, Block 6, Lot 11, Prepared for 5K Enterprise, Inc, Newtown, Connecticut" dated 6/1/17 last revised 1/27/20, and documents submitted to the Land Use Agency 2/10/20.

Ms. Salling asked if Mr. Maguire would summarize the application. Mr. Maguire explained that the property has an existing industrial building, and the applicant is looking to construct a driveway which will result in 2700 sq. ft. of wetlands fill with a 6ft x 8ft x 36ft box culvert. He reviewed that there are three scenarios in which a public hearing is necessary for an Inland Wetlands application: (1) a petition signed by 25 town residents, (2) public interest, and (3) potential for significant impact to wetlands. Mr. Maguire said (1) and (2) do not seem to apply in this case, but the third should be considered.

Mr. Ferris asked if there were steep slopes on the property, and Mr. Maguire said that he had not yet had an opportunity to visit the property to verify. The Commission asked a few questions about the surrounding lots and where the property was situated.

Mr. Maguire said the wetland in question is 15-20 acres and feeds down a slope to a channel along I-84, to Tom Brook.

Ms. Salling summarized the wetlands report, which concluded that the impact to wetlands would be beneficial after the mitigation work. Mr. Maguire said the Commission must determine if the initial impact of the project rises to the level of a public hearing, regardless of the mitigation. From one point of view, he said, given the large size of the total wetland, the amount of fill is not very substantial; however, looking at the 2700 sq. ft. as an isolated number, it is significant. Ms. Thorn asked about how the project would affect wildlife, and Ms. Salling pointed out in the wetlands report that there would be a "moderate" impact.

Ms. Salling confessed that she was ambivalent on whether or not to require a public hearing. Mr. McCabe would have rather seen the site himself, and much like Ms. Salling he felt split, but said he did not want to put off making the decision.

Mr. Ferris asked if the wetlands mitigation by Starbucks required a public hearing. The Commission did not think so. Mr. Ferris said he felt the Commission could deal with the impact and that it did not need to go to a public hearing. Ms. Salling agreed. Mr. Maguire and Ms. Salling further pointed out that when wetland projects take place on or adjacent to residential areas, it seems to garner more attention, whereas this is an industrial property.

Ms. Thorn thought there would be a bridge, based on the wetlands report. Mr. Ferris determined she was talking about the culvert, and Ms. Salling explained that any concerns about the flow and riprap along the sides can be addressed at the actual meeting.

Ms. Salling stated that she is in favor of not calling for a public hearing. Mr. Ferris wanted to verify that if a petition comes to the Land Use Agency before the date of the meeting, the Commission does have the ability to switch to a public hearing. Mr. Maguire confirmed this is the case.

Mr. Maguire said there is no need to vote: the application has been accepted and the Commission has unanimously determined that there is no need for a public hearing.

APPROVAL OF MINUTES FOR SPECIAL MEETING OF DECEMBER 12, 2019

Mr. Ferris pointed out a typo in the minutes from December 12, 2019: "proposed bridge" was accidentally written as "purposed bridge." Otherwise there were no comments on the minutes.

Mr. Ferris moved to accept the minutes from December 12, 2019. Mr. McCabe seconded. Ms. Thorn abstained. All were in favor and the minutes from December 12, 2019 were approved.

ADJOURNMENT

With no additional business, Mr. McCabe moved to adjourn. Mr. Ferris seconded. All in favor. The special meeting of February 11, 2020 was adjourned at 2:27 pm.

*Respectfully Submitted,
Christine O'Neill, substitute clerk*