

**Commissioners in Attendance:**

Nancy Rosenbaum, Chairwoman  
Michael Montgomery, Vice Chair  
Eric Annes  
Andrew Brand  
Bob Anastasio  
Joan Lakin

**Others in Attendance:**

Dan Kops, Assistant Town Planner  
Tom Vocelli, Inlands/Wetlands Officer  
Tim Lee, Assistant Town Attorney  
Peggy Craft, Acting Commission Clerk

December 14, 2011

**MINUTES: THE INLANDS WETLANDS COMMISSION** held a Regular Meeting on Wednesday, December 7, 2011 at 7:00 p.m. in The Thornton Wilder Auditorium, Miller Memorial Library, Dixwell Avenue, Hamden, CT and the following items were reviewed:

Chairwoman Rosenbaum called the meeting to order at 7:06 PM

Attendance was taken by Vice Chair Montgomery.

**1. Regular Meeting – New Applications**

- a. **11-1177** 2895 State Street (rear)-relocation of facility & stockpile areas from Parcel B to Parcel C, Modern Materials Corp, Applicant

David Sacco of TPA in New Haven addressed the Commission.

Mr. Sacco explained the proposed project. He said Modern Materials is a construction recovery business. He said they plan a re-location from Parcel B to Parcel C. This is being done to close the tire pond. He said all the buildings on site will be removed except one. Mr. Sacco explained the drainage and the roadway. He also discussed the retention basin and discharge to the Quinnipiac River, and showed a schematic of the new area, and an existing conditions map. He noted that there are no wetlands on this parcel; there are wetlands adjacent to the property and within the buffer area.

**Commissioner Lakin motioned to table Application 11-1177 for a site inspection. Commissioner Anastasio seconded the motion that passed unanimously.**

Ms. Rosenbaum told Mr. Sacco that Mr. Vocelli would be in touch with him to inform him when the site inspection will be held.

**b. 11-1178** 70 Cobblestone Drive-single-family home, Jonathan Clapp & Katharine Lynch, Applicants

Chris Gagnon of Godfrey Hoffman Associates addressed the Commission on behalf of the Applicants.

Mr. Gagnon said he is here to have the Commission accept the application for a single-family home at the end of Cobblestone Drive. He said initially, the property was four lots. In the recent past a lot line revision was done which turned the four lots into one. It is now proposed to build a single-family home on this property.

Mr. Gagnon displayed plans of the proposed home, and explained where the house would be placed in relation to the wetlands. He said the house would be on a plateau, which is the most suitable area to build on the lot. The wetlands and the intermittent stream are why they are here tonight. He said the property drains toward the wetlands and they are proposing a driveway with culverts underneath to drain water. Mr. Gagnon said he hopes the Commission will accept this application and schedule a site walk.

**Commissioner Annes motioned to table Application 11-1178 for a site walk. Commissioner Brand seconded the motion that passed unanimously.**

**Mr. Vocelli will inform Mr. Gagnon when the site walk is scheduled.**

Ms. Rosenbaum informed the Commissioners that there was a letter included in their packets from Al Gorman, President of the Hamden Historical Society and that there was a comment letter from the RWA.

## **2. Pending applications**

**a. 11-1176** 900 Whitney Avenue-overflow discharge pipe modifications-RWA, Applicant

Commissioner Lakin recused herself.

Brian Lakin, P.E. of the Regional Water Authority addressed the Commission.

Mr. Lakin said this project is taking place at the Water Treatment Plant on Whitney Avenue. Mr. Lakin said the RWA received a letter from DPH, informing them that the existing emergency overflow pipe did not meet their standards. He said this project is to remedy that. It will take the overflow underground and redo an above ground pipe so that water can't flow back. He said the grade is very tight, and there are conditions where in a 100-year flood, water could flow back. There is a valve that will be placed to prevent this. It would then meet DPH conditions. He said this work will take about three weeks to a month in the field, and would be done by a contractor selected by the bid process.

Ms. Rosenbaum asked if there were any questions or comments.

Mr. Montgomery asked about the Town Engineer's comment regarding the silt fence with hay bales behind. He said he doesn't see what's wrong.

Mr. Lakin explained that it is the strings tying the bales. He added that they would change them to meet the Town Engineer's requirements.

**Commissioner Annes motioned to approve Application 11-1176, on the condition that they comply with the Town Engineer's comments. Commissioner Anastasio seconded the motion that passed with one abstention (Ms. Lakin).**

## **3. Notices-of-Violation, Cease & Desist & Restore Orders, Notices-to-Appear**

**a. N.O.V.** 64 Rocky Top Road – clearing of trees & removal of vegetation.

Assistant Town Attorney Lee said he has not received the forestry report on vegetation yet. He said there is a hearing scheduled on Friday, December 9<sup>th</sup>. Commissioner Annes asked what the purpose of the hearing is. Mr. Lee said it is to put an end to it. Mr. Lee said if the owner comes in with a forestry report this could be concluded.

N.O.V. 64 Rocky Top Road remained tabled.

**b. N.O.V. 251 Welton Street – oil spill or discharge.**

Chairwoman Rosenbaum said there is an update in the meeting packet from the owner's environmental consultant. The N.O.V. remained tabled.

#### **4. Review of Site Inspection Schedule**

Ms. Lakin suggested that the site inspections be done on a Sunday again.

Ms. Rosenbaum asked for suggested dates.

After a discussion of availability of the Commissioners, it was decided that the site inspections would be held on Saturday, December 10<sup>th</sup> and/or Sunday, December 18<sup>th</sup>, pending the availability of the engineers. Mr. Vocelli will contact the engineers to see if they can be available on those dates.

#### **5. Review of November 2, 2011 meeting minutes**

**Commissioner Annes motioned to table the vote on the minutes to the next meeting. Commissioner Lakin seconded the motion. The motion passed unanimously.**

It was agreed that Mr. Montgomery would retype the Birchwood Drive motion and send it out to the Chairwoman and then the Commissioners to be read prior to the next meeting.

#### **6. Other Business**

Chairwoman Rosenbaum discussed a memo she received from Town Attorney Sue Gruen regarding the new Town Charter. The memo asks the Commissioners to download the document and read it. Ms. Gruen is available to meet with anyone who wished to discuss the provisions of the Charter.

Ms. Rosenbaum said she is concerned about the lack of inclusion of the alternates on the Wetlands Commission in the new Charter.

Mr. Lee said that he believed this was not an oversight, but that Attorney Mednick thought this Commission was so large it did not need alternates. He added that the state allows for alternates on the Wetlands Commission. He said the Charter would have to be amended to include the alternates.

Ms. Rosenbaum asked how the Commissioners felt about this. All present agree with having alternates.

Mr. Lee said perhaps the Commission would have to be cut back to allow alternates

Mr. Montgomery said he felt that perhaps the Commission would be better with nine members instead of 11 with two alternates.

Mr. Lee will speak with Attorney Gruen to let her know that the Commission is in favor of having alternates, and will ask her what the process is to achieve this.

Mr. Montgomery said in the Charter Revisions this Commission is referred to as the Inland Wetlands Commission. He said it was created as the Inland Wetland Commission. He added that the Commission refers to itself as the Inland Wetlands and Water Courses Commission. Mr. Lee said it doesn't matter.

Mr. Annes asked Mr. Lee, if, when a an application is denied, is a judge on appeal then limited to the reasons it is denied on. Mr. Lee said if it is just denied then the court would look at the whole record. If reasons for the denial are included, then the Court looks at the reasons. There was a short discussion regarding this question.

## 7. Adjournment

There was no further business to come before the Commission, and Chairwoman Rosenbaum called for a motion to adjourn. **Commissioner Lakin motioned to adjourn. Commissioner Annes seconded the motion that passed unanimously. Ms. Rosenbaum adjourned the meeting at 7:50 PM.**

Submitted by:

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Peggy Craft, Acting Commission Clerk