

# MINUTES

## TOWN OF BETHANY

### INLAND WETLAND COMMISSION

AUGUST 17, 2020 @7:30 P.M. VIA ZOOM

**APPROVED AT THE SEPTEMBER 23, 2020 SPECIAL VIRTUAL MEETING**

The regular "Virtual Zoom" meeting of the Inland Wetland Commission was called to order at 7:34 p.m.

The following members of the Inland Wetlands Commission were present:

Kristine Sullivan, Chairman

James Nickle, Member

Anjuli Cokic, Member

Charles Clark, Member

Also present was Isabel Kearns, Inland Wetlands Enforcement Officer

### **NEW BUSINESS**

The following are items either being submitted to the Commission for formal receipt, appropriate action, updated, discussed, or to schedule a public hearing date.

1) **95 Mesa Drive – Judith F. Smith, application #1339 New Residential Construction.**

- Present to speak on behalf of the application was Judith F. Smith and Robert White, Architect.
  - i. It was noted that the house is going to be oriented with view towards the conservation area.
  - ii. The lot has already been graded, and that there are no trees on the property.

### COMMENTS:

- The Commission requested the applicant to have the engineer stake or pre-flag the corners of the septic area, the wetlands.

The Commission reviewed the application and scheduled a site inspection visit to be held August 29, 2020. Further discussion and appropriate action on the application was deferred to the Commission's next regular meeting adjourned to September 2, 2020.

2) **38 Hi-Ann Drive – Robert White, Architect, Discussion regarding a bridge over Wetlands on the property.**

- Present to speak on behalf of the application was Robert White, Architect.
  - i. Mr. White discussed a low-profile bridge over the southerly wetland side and inquired if the commission will entertain the construction of a bridge over the wetlands or if it not a feasible request.
  - ii. The commission ask Mr. White to enter an application in order to investigate alternatives and to also consult with an expert to review possible outcomes as discussed.

The Commission reviewed the application and scheduled a site inspection visit to be held August 29, 2020. Further discussion and appropriate action on the application was deferred to the Commission's next regular meeting adjourned to September 2, 2020.

3) **40 Round Hill Road – Theron Simons, Discussion regarding a Farm Pond on the property 'as of right' per section 4.1**

- Present to speak on behalf of the application was Theron Simons and Brian Baker, Engineer.
  - i. Mr. Baker briefed the commission on the proposed 76'W x 140'L x 12'D, with a 476.0 water surface elevation, a bottom elevation of 465.0, and approximately quarter acre 'Farm Pond' to be located on the property.

The Commission discussed and reviewed the plan the application and *found that in accordance to Section 4, under subsection 4.1 (a) related to farming, a permit is not required, since it is a permitted operation and use as of right of the regulations.*

It was moved by Commission Member Cokic to approve the permitted operation and use 'as of right' as has been proposed and followed under section 4.4 of the regulations, Member Clark seconded.

**Vote 4 to 0.**

***Voting for: Sullivan, Nickle, Clark, Cokic.***

**OLD BUSINESS**

Business scheduled by the Commission that has previously been before the Commission and is either to be acted on, updated, discussed, or to schedule a public hearing.

1) **26 Pine Brook Crossing Road – Eric Unger, Application # 1333 for an IW Permit for Site Plan Approval and /or Modification of Approved Plan. Tabled.**

- Present to speak on behalf of this application was Eric Unger.
  - i. Mr. Unger reiterated an email and revised plan sent/ given to Isabel Kearns, Inland Wetlands Enforcement Officer, dated July 22, 2020 to be received by the commission.
  - ii. Mr. Unger asked the commission to accept the changes and as expressed on the email. (email printed and scanned to commission member.)

The Commission reviewed the application. Due to the applicant's unwillingness to place the conservation signs as suggested; further discussion and appropriate action on the application, was deferred to next regular meeting adjourned September 2, 2020.

**Vote 4 to 0.**

***Voting for: Sullivan, Nickle, Cokic, Clark.***

***Unanimous approval.***

4) 371 Fairwood Road – Luke Cassidy, Bethany Troop 59, application #1338 for Clearing and Re-blazing of airport trails.

- Present to speak on behalf of the application was Luke Cassidy.

The Commission discussed and reviewed the plan the application and found that in accordance to Section 4, under subsection 4.2 (b) operations and uses shall be permitted, as non-regulated uses.

It was moved by Commission Member Cokic to approve the permitted operation and use ‘as of non-regulated use’ as has been proposed and followed under section 4.2 (b) of the regulations, Member Clark seconded.

Vote 4 to 0.

Voting for: Sullivan, Nickle, Clark, Cokic.

5) 70 Lebanon Road – Rebecca Geary, application #1337 for Above Ground Pool and Deck.

- Present to speak on behalf of the application was Rebecca Geary.
  - i. The applicant noted that it will be a sand filter for the pool, will not release water to the wetlands, and that the soil will either be regraded right around the pool or hauled out.

It was moved by Commission Member Clark and seconded by Member Nickle to approve application #1337 as proposed.

Vote 4 to 0.

Voting for: Sullivan, Nickle, Clark, Cokic.

6) 3 Fairwood Road – Raymond Scott, application #1336 for 24 x 24 Garage.

- Present to speak on behalf of the application was Doug Bousquet.
  - i. The commission requested a required pre-construction meeting with the Inland Wetlands Officer to determine where the earth material will be distributed on the property and when it will be stock piled.

It was moved by Commission Member Clark and seconded by Member Cokic to approve application #1336 for a side yard 24 x 24 garage.

Vote 4 to 0.

Voting for: Sullivan, Nickle, Clark, Cokic.

APPROVAL OF MINUTES

- 1) The Commission deferred approval of the June 15, 2020 Minutes, and July 20, 2020 to the Commission’s next regular meeting adjourned to September 21, 2020.

Vote 4 to 0.

Voting for: Sullivan, Nickle, Cokic, Clark.

Unanimous approval.

**CORRESPONDENCE REGULAR MEETING**

- A. Email from Rebecca Cigas to the Inland Wetlands Commission, dated July 21, 2020. **Re: Pool and Deck at 70 Lebanon Road.**
- B. Email from Eric R. Unger to Isabel Kearns Inland Wetlands Enforcement Officer, dated July 22, 2020. **Re: Site Plans and Conservation Signage at 26 Pine Brook Crossing.**
- C. Letter from Kenneth C. Baldwin, Esq. at Robinson & Cole (280 Trumbull Street, Hartford CT 06103-3597) to Kristine Sullivan Inland Wetlands Commission Chairman, dated August 6, 2020. **Re: Hamden Solar and Distributed Solar Operations, LLC – Notice of Intent to File a Petition for Declaratory Ruling for the Construction, Operation and Maintenance of a 1.9 MW/AC Solar Photovoltaic Electric Generating Facility at 360 Gaylord Mountain Road, Hamden, Connecticut – Notice to State and Local Officials.**
- D. Letter from Inland Wetlands Enforcement Officer Isabel Kearns to Mr. & Mrs. David Dill, dated August 12, 2020. **Re: Conservation signs at 12 Earley Court.**
- E. Letter from Inland Wetlands Enforcement Officer Isabel Kearns to Mr. John Huang and Ms. Venna Channamsetty, dated August 12, 2020. **Re: Conservation signs at 24 Earley Court.**
- F. Letter from Inland Wetlands Enforcement Officer Isabel Kearns to Bishwjit Bhattacharya and Debasnee Mukherjee, dated August 12, 2020. **Re: Conservation signs at 28 Earley Court.**
- G. Letter from Inland Wetlands Enforcement Officer Isabel Kearns to Mr. & Mrs. Thomas McCaffrey, dated August 12, 2020. **Re: Conservation signs at 36 Earley Court.**
- H. Letter from Inland Wetlands Enforcement Officer Isabel Kearns to Mr. & Mrs. Nicholas Haskos, dated August 12, 2020. **Re: Conservation signs at 47 Earley Court.**
- I. Letter from Inland Wetlands Enforcement Officer Isabel Kearns to Mr. & Mrs. Jackson Torrens, dated August 12, 2020. **Re: Conservation signs at 52 Earley Court.**

**PUBLICATIONS/ WORKSHOPS** (No Action)

**ADJOURNMENT**

There being no further business to come before the Commission, it was moved by Clark and seconded by Nickle to adjourn the regular meeting at 8:58 p.m.

**Vote 4 to 0.**

**Voting for: Sullivan, Nickle, Cokic, Clark.**

**Unanimous approval.**

Respectfully submitted,

  
Lina V. Frazer,

Inland Wetlands Commission Clerk

