

MINUTES
TOWN OF BETHANY
INLAND WETLAND COMMISSION
April 19, 2021 @7:30 P.M. VIA ZOOM

APPROVED AT THE JULY 19, 2021 REGULAR MEETING

The regular “Virtual Zoom” meeting of the Inland Wetland Commission was called to order at 7:33 p.m.

The following members of the Inland Wetlands Commission were present:
Kristine Sullivan, Chairman
James Nickle, Member
Anjuli Cokic, Member

Absent: Charles Clark, Member

NEW BUSINESS

The following are items that were submitted to the Commission for formal receipt, appropriate action, update, discussion, or to schedule a public hearing date.

1) 48 Clay Road – Tom Relihan
Appl# 1355 – Permit Re-issuing for New Residential Construction.

Present to speak on behalf of the application was Alan Shepard, P.E.

DISCUSSION/COMMENTS:

- Commission Chairman noted that this was a permit that has expired and that would need to be re-instated.
- Mr. Sheppard addressed to the commission and noted that the applicant had started to do the drainage work, driveway back in 2018 before the economy plummeted, so he had stopped construction, but now is seeking to complete the project.
- Chairman Sullivan announced that the commission had a site inspection on March 27, 2021 and realized that there were woodchips and piles of material that did not seem to be clean fill on site and would like to know what the purpose of the material would be.
- Mr. Sheppard noted that currently is stockpiling it there for convenience. But as the construction goes on it would be removed.
- Chairman Sullivan mentioned to Mr. Sheppard that since the application was received this night acting on the application is deferred until the next meeting. Chairman Sullivan asked that the Mr. Relihan provide a narrative as per what materials would be removed and what would be kept on-site and where would the material be located at the next scheduled meeting.

The Commission deferred an appropriate action on the application to the next Regular “Virtual” Meeting to be held on May 17, 2021.

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.

2) 48 Old Amity Road – Joseph Hammer, Esq. – Day Whitney, LLP.
Informal Discussion on Improvements at Yale University’s Property.

Present to speak on behalf of the application was Joseph Hammer, Esq., Yale University Office of Facilities and Construction Project Lead Jeromy Powers and License Professional Engineer from SLR Consulting Chris Chulk.

DISCUSSION/COMMENTS:

- The applicants had provided a narrative letter dated April 9, 2021 to the Inland Wetlands Commission – Chair for the proposed project. Re: Request for determination.
- The letter has been presented to the commission for discussion and determination.
- Mr. Chulk addressed to the commission and noted that the current plans show the extend of the grading to be done, to improve the viability of the site for future development, which is about 300 feet away from the wetlands.
- Mr. Chulk noted that the activity proposed would not have any adverse impact on the wetlands.
- Chairman Sullivan asked the applicant to cover the material once transferred so that it would not be blown away from the site due to the environment.

Commission Chairman motioned that a permit is not required for the proposed project, however the commission requests that once the materials are brought in preventive measure are put in place to contain the material brought in place. Member Cokic seconded the motion.

Vote 3 to 0.

Voting for: Sullivan, Nickle, Cokic.

Unanimous approval.

3) 10 Hamilton Drive – Bill & Wendy Grieger

Appl# 1351 – Addition on Building.

Present to speak on behalf of the application was Bill and Wendy Grieger.

DISCUSSION/COMMENTS:

- The commission received and reviewed the application.
- The Commission Chairman noted that the applicant would not have the addition on a basement and is simply a frost foundation on the building.
- Mr. Grieger noted that it would be a 2 foot cut with a small trench where the metal building is going, would pour the slap over the millings and will re-mill the outside.
- Chairman Sullivan asked and noted that during the site visit the commission noticed that there is a filled / incremental creep onto the stream happening at the site. Mr. Grieger would look into it as per the commission's request.

Commission Member Nickle motioned to permit application #1351 based on the plans presented because it shows little to no impact to the wetlands with the condition that the applicant pulls back the spread of the millings/ the incremental creep that is happening on the property, so that it does not impact the stream/wetland that is on the property above from the site and from the other side of Amity Road. Member Cokic seconded the motion.

Vote 3 to 0.

Voting for: Sullivan, Nickle, Cokic.

Unanimous approval.

4) 38 Hi – Ann Court – Joseph Cimino (TABLED).

Appl# 1354 – New Single Family House - Approval of site plan, activity in wetland upland review.

Present to speak on behalf of the application was John Paul Garcia.

DISCUSSION/COMMENTS:

- Mr. Garcia addressed to the commission and shared that they have contracted the soil scientist to reflag the wetlands, the adjacent driveway crossing, the area of the barn, and to also provide a review for the commission. Mr. Garcia is currently awaiting response from the Soil scientist.
- Mr. Garcia asked if the commission would like to have a site visit, however if the wetlands are not flagged. Commission Chairman noted that if the soil scientist will reflag the wetlands a tentative inspection date will be schedule and if in the next couple of weeks, the wetlands have not been flagged then the inspection can be moved to the next month.
- Chairman Sullivan also noted that the commission would need enough time for receipt of the soil scientists documents for expert review.

The Commission TABLED and deferred an appropriate action on the application to the next Regular "Virtual" Meeting to be held on May 17, 2021 in order to provide the applicant enough time to provide the documentation needed for review and decision making.

1) 53 Munson Road – Steven B. Winter. (postponed until next meeting on April 19, 2021). Appl# 1345 - Renovation of Existing Single Family Home. (TABLED).

The applicant was not present to speak on behalf of the application.

DISCUSSION/COMMENTS:

- Mr. Winter provided a letter indicating that he was not ready to present his proposed construction with the commission and that he is working on having a formal site-plan drafted at this point.
- The Commission had visited the site for inspection on January 30th.
- The Commission discussed their visit and is waiting on the applicant's site plan for review, act and incorporate into the permit.

PUBLIC HEARING CONTINUATION

At 7:54 p.m. Chairman Sullivan opened the public hearing and called it to order. The public hearing was scheduled for the subject property and application listed below:

1. 229 Seymour Road – Michael Anderson, PE., Application #1342 Site plan approval for bridge renovation over watercourse.

No one was present to speak on behalf of the application.

DISCUSSION/COMMENTS:

- Mr. Anderson did not provide the additional information, on time, for any review. Several attempts were made to hear back from the applicant by staff, however the applicant has not made any attempts to respond to any inquiries or provide the material needed for expert review.
- The commission has determined to close the public hearing continuation since there was no one present to speak on behalf of the application and since there is an incomplete application at this time.
- At 7:56 the Commission Chairman Sullivan closes the Public Hearing continuation as the application is incomplete.

The Commission Chairman Sullivan motioned to deny the application without prejudice as the application provided is incomplete. Ms. Sullivan noted that as soon as the applicant is ready to resubmit a complete application in a timely fashion, it would be reconsidered for review, possible action, and have a public hearing rescheduled. Member Nickle seconded the motion. The application has been denied without prejudice.

Vote 3 to 0.

Voting for: Sullivan, Nickle, Cokic.

Unanimous approval.

APPROVAL OF MINUTES

The Commission approved the minutes as listed Commission's Regular meeting:

- 1) Commission Chairman Sullivan deferred approval of the Regular Minutes of March 15, 2021 to the next meeting of May 17, 2021.
- 2) Commission Member Cokic moved the approval of the Site Visit Minutes of January 30, 2021, March 6, 2021, and March 27, 2021. Commission Member Nickle seconded.

Vote 3 to 0.

Voting for: Sullivan, Nickle, Cokic.

Unanimous approval.

CORRESPONDENCE AND APPROPRIATE COMMISSION ACTION.

- Copy of DEEP permit application for the application of pesticides on the pond of 10 Northrop Road on the North side.

CONFERENCES, BILLS AND APPROPRIATE COMMISSION ACTION.

There were no bills to be discussed or approved at this time.

ADJOURNMENT

There being no further business to come before the Commission, it was moved by Member Clark and seconded by Member Cokic to adjourn the regular meeting at 8:00 p.m.

Vote 3 to 0.

Voting for: Sullivan, Nickle, Cokic.

Unanimous approval.

Respectfully submitted,

Lina V. Frazer,
Inland Wetlands Commission Clerk