

**TOWN OF EAST WINDSOR
INLAND WETLANDS AND WATERCOURSE AGENCY**

Regular Meeting – January 8, 2020

MEETING MINUTES

*******Minutes are not official until approved at a subsequent meeting*******

CALL TO ORDER: Vice Chairman Pippin called the January 8, 2020 Regular Meeting of the East Windsor Inland Wetlands and Watercourse Agency to order at 7:00 p.m. in the Town Hall Meeting Room, 11 Rye Street, Broad Brook, CT.

ESTABLISHMENT OF QUORUM:

Present: Regular Members Alan Baker, Kurt Kebschull, Richard Osborn, and Richard P. Pippin, Jr.

Unable to Attend: Regular Member Rebecca Talamini and Alternate Member Michael Sawka.

Guests: Terri and Randy Clifton, Kathy Pippin.

Vice Chairman Pippin noted the establishment of a quorum with 4 Regular Members as noted above. He welcomed Commissioner Kebschull to the Board. All Members will sit in on votes this evening. .

Also in attendance was Wetlands Agent Ruben Flores-Marzan.

PLEDGE OF ALLEGIANCE:

Everyone stood to recite the Pledge of Allegiance.

AGENDA ADDITIONS: None.

APPROVAL OF MINUTES/1) December 4, 2019 – Regular Meeting:

MOTION: To APPROVE the Minutes of Regular Meeting of the Inland Wetlands and Watercourse Agency dated December 4, 2019 as written.

Baker moved/Osborn seconded/DISCUSSION: None

VOTE: In Favor: Pippin/Baker/Osborn
Opposed: No one
Abstained: Kebschull

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MOTION: To TAKE NEW BUSINESS/1) Himanshu Patel – 35 North Road – Informal discussion – potential development of site, after CONFERENCES/SEMINARS/TRAINING as Mr. Patel has not yet arrived at the meeting.

Baker moved/Osborn seconded/DISCUSSION: Commissioner Kebschull indicated he didn't know Mr. Patel, he questioned if Mr. Patel is aware of the issues facing him in development of this property? Vice Chairman Pippin suggested Mr. Patel will be appearing before the Commission for an informal chat before he decides to submit an application. Wetlands Agent Flores-Marzan suggested Mr. Patel needs to come before the Commission to discuss his vision for the project. Commissioner Baker suggested this is an opportunity for Mr. Patel to have a discussion with the Commission before submitting an application; if he doesn't appear this evening he can come back at a future meeting.

NEW APPLICATIONS TO BE RECEIVED: None.

PUBLIC HEARINGS: None.

CONTINUED PUBLIC HEARINGS: None.

OLD BUSINESS: None.

MISCELLANEOUS: None.

AGENT DECISIONS: None.

STATUS REPORTS: None.

VIOLATIONS/Jim Giorgio – Newberry Village, 4 Goldfinch Road:

Wetlands Agent Flores-Marzan cited this continues to be an issue for Mr. Giorgio; he understands Mr. Giorgio is presently experiencing health issues. Vice Chairman Pippin questioned if work should be done during this season; his concern is that more harm could occur in the wetlands during the cold season.

Commissioner Baker suggested the purpose of doing the site visit was to prevent the situation from getting any worse. He would still like to make a site visit to view the present conditions.

The consensus of the Commission was to continue carrying this violation as an agenda item going forward.

CONFERENCES/SEMINARS/TRAINING:/1) CACIWC Training – November 23,

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2019 Annual Meeting Presentation by Janet Brooks – Procuring and Using Experts:

Commissioner Baker recalled he provided the material for his fellow Commissioners at the previous meeting as he felt the information would be valuable for future use.

CONFERENCES/SEMINARS/TRAINING/2) Wetlands Violation/Citation Ordinance:

Commissioner Baker advised the Commission that he and Wetlands Agent Flores-Marzan met with First Selectman Bowsza to discuss the Commission's need to develop an ordinance for complex application fees; the Commission also needs to develop an RFP (Request for Proposal) process to initiate if the need arises.

Commissioner Baker also noted he would like to pursue implementation of a Wetlands Violation/Citation Ordinance so the Commission has the ability to implement a violation process. He referenced the information provided in this meeting packet which includes the memos which the Commission considered during a prior attempt to pass the Violation/Citation Ordinance. He felt that one of the problems during the previous attempt to pass the ordinance was that the ordinance didn't include a fee structure and people were concerned with the cost of addressing violations. Commissioner Baker cited the Planning and Zoning Commission has a process they implement for Zoning Violations; this ordinance would address similar situations specific to wetlands issues.

Wetlands Agent Flores-Marzan suggested the Planning Office pays membership fees to the North Central Soil and Conservation District (NCSCD) annually, one of their services includes is third party review of wetlands and soil scientist services. He suggested if the Commission found it necessary to avail themselves of their services the NCSCD could do that work for them. Wetlands Agent Flores-Marzan reported he's recently met with the Executive Director of the NCSCD; they are ready to assist the Commission as needed. Wetlands Agent Flores-Marzan felt they could develop the RFP and work on the policy as well.

Commissioner Baker suggested the information provided to the Commission regarding the past attempt to pass the Violation/Citation Ordinance should be sent to the NCSCD, and ask a representative to attend a future Commission Meeting to discuss their findings. Vice Chairman Pippin suggested researching what other towns, such as Ellington, Somers, and Suffield which has soils similar to East Windsor, have for their violation policies.

Commissioner Baker suggested that without a Violation/Citation Ordinance and policy the Commission's only other option is to go to court, which is costly for everyone. In actuality, the goal is compliance, not a revenue source.

Discussion followed regarding the status of Commissioner training. DEEP continues to

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promise an updated training schedule imminently. The Commission is mulling reviewing previous training videos as a refresher at future meetings.

NEW BUSINESS: 1) Himanshu Patel – 35 North Road – Informal discussion – potential development of site:

Mr. Patel has not appeared this evening. Wetlands Agent Flores-Marzan indicated Mr. Patel would be traveling from New York for this meeting; he apparently had a change of plans.

The Commission indicated the informal discussion could be scheduled for a future meeting.

CORRESPONDENCE:

Wetlands Agent Flores-Marzan has provided the Commission with the November 2019 newsletter from the Southern New England Chapter of the Soil and Water Conservation Society.

Commissioner Baker referenced page 5, which indicates Connecticut is hosting the 2020 CT Land Conservation Annual Conference on Saturday, March 21, 2020 from 8:30 a.m. to 5:00 p.m. at Wesleyan University, Middletown, CT.

GENERAL BOARD DISCUSSION: None.

PUBLIC PARTICIPATION (Discussion on non-Agenda items only):

Randy Clifton, 7 Hickory Trail (Newberry Village): Mr. Clifton reported that in the back yard there's one tree which is away from everything else; that tree has 18 inches of soil above it so it will be dead shortly. He understands Mr. Giorgio doesn't want to do anything until the unit is sold but.....

Terri Clifton, 7 Hickory Trail (Newberry Village): Mrs. Clifton noted previous IWWA Minutes reflected the Commission's intent to file a Cease and Desist Order against Mr. Giorgio; she questioned the status of that action. Commissioner Baker indicated the Commission has already given the Cease and Desist order to Mr. Giorgio; he no longer has a Wetlands Permit for any work within 150 feet of the wetlands.

ADJOURNMENT:

MOTION: To ADJOURN this Meeting at 7:40 p.m.

Osborn moved/Baker seconded/VOTE: In Favor: Unanimous

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Respectfully submitted:

Peg Hoffman, Recording Secretary, Inland Wetlands and Watercourse Commission